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SENATE BILL NO. 591

Offered January 13, 2016

Prefiled January 13, 2016

A BILL to amend and reenact § 46.2-2062 of the Code of Virginia, relating to regulation of taxicab services by localities; background checks.

Patron—Obenshain

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-2062 of the Code of Virginia is amended and reenacted as follows:****§ 46.2-2062. Regulation of taxicab service by localities; rates and charges; background checks.**

A. The governing body of any county, city or town in the Commonwealth may by ordinance regulate the rates or charges of any motor vehicles used for the transportation of passengers for a consideration on any highway, street, road, lane or alley in such county, city or town, and may prescribe such reasonable regulations as to filing of schedules of rates, charges and the general operation of such vehicles; provided that, notwithstanding anything contained in this chapter to the contrary, such ordinances and regulations shall not prescribe the wages or compensation to be paid to any driver or lessor of any such motor vehicle by the owner or lessee thereof.

B. In considering rates or charges pursuant to this section, or financial responsibility as provided by this chapter, the governing body may require the owner or operator to submit such supporting financial data as may be necessary, including federal or state income tax returns for the two years preceding, provided that the governing body shall not require any owner or operator to submit any audit more extensive than that conducted by such owner or operator in the normal course of business. Such financial data shall be used only for consideration of rates or charges, or to determine financial responsibility, and shall be kept confidential by the governing body to which it has been submitted. Nothing in this subsection shall make confidential any certificate of insurance, bond, letter of credit, or other certification that the owner or operator has met the requirements of this chapter or of any local ordinance with regard to financial responsibility.

C. *The governing body of any county, city, or town shall by ordinance require that for any taxicab or other motor vehicle performing a taxicab service that has a permit pursuant to § 46.2-2059, before authorizing an individual to act as a driver and at least once every two years after authorizing the individual to act as a driver, the taxicab service shall obtain a criminal history records check of such individual. Such criminal history records check shall require any individual acting as a driver to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the individual's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such individual. The locality may require such individual to pay the cost of the fingerprinting or a criminal history records check or both.*

The Central Criminal Records Exchange, upon receipt of an applicant's or licensee's record or notification that no record exists, shall make a report to the county, city or town manager, or chief law-enforcement officer or his designee, who must belong to a governmental entity. If an applicant is denied employment or a licensee is denied a license because of the information appearing in his criminal history record, the locality shall notify the applicant or licensee that information obtained from the Central Criminal Records Exchange contributed to such denial. The information shall not be disseminated except as provided for in this section.

INTRODUCED

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