

CHAPTER 121  
FORMERLY  
HOUSE BILL NO. 187

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TAXICAB AND LIMOUSINE LICENSE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2763, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 2763 Qualifications for taxicab and limousine license.

(a) To qualify for a taxicab and limousine endorsement an applicant must meet all of the following requirements:

- (1) Be at least 18 years of age with 1 year of driving experience;
- (2) Meet the requirements of § 2707 of this title;
- (3) Never have been convicted of any of the following crimes under the laws of this State or any other jurisdiction:

~~a. Any crime constituting the manufacture, delivery or possession of a controlled substance or a counterfeit controlled substance classified as such in Schedule I, II, III, IV or V of Chapter 47 of Title 16;~~

~~b~~ a. Any crime against a child;

e b. Any crime constituting a class A or B felony;

~~d~~ c. Any crime constituting a felony homicide, including, but not limited to, murder, manslaughter and vehicular homicide;

e d. Any crime constituting a felony sexual offense;

~~f. Any crime constituting a felony offense against public administration involving bribery, improper influence or abuse of office; or~~

~~g. Any crime, other than those listed in this paragraph, constituting a felony for which the person has not been pardoned or for which less than 5 years have passed since the person fully discharged all imposed sentences. As used herein, the term "sentence" includes, but is not limited to, all periods of modification of a sentence, probation, parole or suspension, and all forms of fines, restitution or community service; or~~

(4) Has not been convicted or pled guilty, within the last seven years, to any of the following offenses, either under Delaware law or a substantially similar law of another state or of the United States:

a. Driving under the influence under §§ 4177, 4177J, 4177L, or 4177M of this title;

b. Any crime constituting a felony offense, including any crime constituting a felony offense against public administration involving bribery, improper influence or abuse of office;

c. A hit and run offense under Chapter 42 of this title;

d. Driving over 100 mph; or

e. Reckless driving under § 4175 of this title; or

~~(4)(5)~~ Has not had that person's driver's license suspended, revoked, or disqualified in this State or any other jurisdiction for moving violations during the immediate preceding ~~5~~ 3 years.

(b) Any taxicab and limousine endorsement issued shall automatically be rescinded by the Director of the Division of Motor Vehicles if the applicant has not shown evidence of having satisfactorily completed, within 30 days of the date of endorsement, a motor vehicle accident prevention course approved by the Director of the Division of Motor Vehicles.

(c) The Department may conduct a criminal history background check pursuant to the procedures set forth in Chapter 85 of Title 11 for the purposes of issuing a taxicab and limousine endorsement pursuant to this section. This check shall include a national criminal history background check, in addition to a review of the applicant's Delaware-based criminal history, a fingerprinting of applicants who are to be subjected to a national criminal history background check, and expressly authorizes the use of records of the Federal Bureau of Investigation for screening the applicants.

Approved July 27, 2015