

Amendment No.

CHAMBER ACTION

Senate

House

.

---

Representative Sprowls offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 627.748, Florida Statutes, is created to read:

627.748 Transportation network companies.-

(1) DEFINITIONS.-As used in this section, the term:

(a) "Digital network" means any online-enabled technology application service, website, or system offered or used by a transportation network company which enables the prearrangement of rides with transportation network company drivers.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

13        (b) "Prearranged ride" means the provision of  
14 transportation by a TNC driver to a rider, beginning when a TNC  
15 driver accepts a ride requested by a rider through a digital  
16 network controlled by a transportation network company,  
17 continuing while the TNC driver transports the rider, and ending  
18 when the last rider exits from and is no longer occupying the  
19 TNC vehicle. The term does not include a taxicab, for-hire  
20 vehicle, or street hail service and does not include ridesharing  
21 as defined in s. 341.031, carpool as defined s. 450.28, or any  
22 other type of service in which the driver receives a fee that  
23 does not exceed the driver's cost to provide the ride.

24        (c) "Rider" means an individual who uses a digital network  
25 to connect with a TNC driver in order to obtain a prearranged  
26 ride in the TNC driver's TNC vehicle between points chosen by  
27 the rider. A person may use a digital network to request a  
28 prearranged ride on behalf of a rider.

29        (d) "Street hail" means an immediate arrangement on a  
30 street with a driver by a person using any method other than a  
31 digital network to seek immediate transportation.

32        (e) "Transportation network company" or "TNC" means an  
33 entity operating in this state pursuant to this section using a  
34 digital network to connect a rider to a TNC driver, who provides  
35 prearranged rides. A TNC is not deemed to own, control, operate,  
36 direct, or manage the TNC vehicles or TNC drivers that connect  
37 to its digital network, except where agreed to by written

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

38 contract, and is not a taxicab association or for-hire vehicle  
39 owner. An individual, corporation, partnership, sole  
40 proprietorship, or other entity that arranges medical  
41 transportation for individuals qualifying for Medicaid or  
42 Medicare pursuant to a contract with the state or a managed care  
43 organization is not a TNC. This section does not prohibit a TNC  
44 from providing prearranged rides to individuals who qualify for  
45 Medicaid or Medicare if it meets the requirements of this  
46 section.

47 (f) "Transportation network company driver" or "TNC  
48 driver" means an individual who:

- 49 1. Receives connections to potential riders and related  
50 services from a transportation network company; and
- 51 2. In return for compensation, uses a TNC vehicle to offer  
52 or provide a prearranged ride to a rider upon connection through  
53 a digital network.

54 (g) "Transportation network company vehicle" or "TNC  
55 vehicle" means a vehicle that is not a taxicab, jitney,  
56 limousine, or for-hire vehicle as defined in s. 320.01(15) and  
57 that is:

- 58 1. Used by a TNC driver to offer or provide a prearranged  
59 ride; and
- 60 2. Owned, leased, or otherwise authorized to be used by  
61 the TNC driver.

62

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

63 Notwithstanding any other provision of law, a vehicle that is  
64 let or rented to another for consideration may be used as a TNC  
65 vehicle.

66 (2) NOT OTHER CARRIERS.—A TNC or TNC driver is not a  
67 common carrier, contract carrier, or motor carrier and does not  
68 provide taxicab or for-hire vehicle service. In addition, a TNC  
69 driver is not required to register the vehicle that the TNC  
70 driver uses to provide prearranged rides as a commercial motor  
71 vehicle or a for-hire vehicle.

72 (3) AGENT.—A TNC must designate and maintain an agent for  
73 service of process in this state.

74 (4) FARE TRANSPARENCY.—If a fare is collected from a  
75 rider, the TNC must disclose to the rider the fare or fare  
76 calculation method on its website or within the online-enabled  
77 technology application service before the beginning of the  
78 prearranged ride. If the fare is not disclosed to the rider  
79 before the beginning of the prearranged ride, the rider must  
80 have the option to receive an estimated fare before the  
81 beginning of the prearranged ride.

82 (5) IDENTIFICATION OF TNC VEHICLES AND DRIVERS.—The TNC's  
83 digital network must display a photograph of the TNC driver and  
84 the license plate number of the TNC vehicle used for providing  
85 the prearranged ride before the rider enters the TNC driver's  
86 vehicle.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

87 (6) ELECTRONIC RECEIPT.—Within a reasonable period after  
88 the completion of a ride, a TNC shall transmit an electronic  
89 receipt to the rider on behalf of the TNC driver which lists:

90 (a) The origin and destination of the ride;

91 (b) The total time and distance of the ride; and

92 (c) The total fare paid.

93 (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER  
94 INSURANCE REQUIREMENTS.—

95 (a) Beginning July 1, 2017, a TNC driver or a TNC on  
96 behalf of the TNC driver shall maintain primary automobile  
97 insurance that:

98 1. Recognizes that the TNC driver is a TNC driver or  
99 otherwise uses a vehicle to transport riders for compensation;  
100 and

101 2. Covers the TNC driver while the TNC driver is logged on  
102 to the digital network of the TNC or while the TNC driver is  
103 engaged in a prearranged ride.

104 (b) The following automobile insurance requirements apply  
105 while a participating TNC driver is logged on to the digital  
106 network but is not engaged in a prearranged ride:

107 1. Automobile insurance that provides:

108 a. A primary automobile liability coverage of at least  
109 \$50,000 for death and bodily injury per person, \$100,000 for  
110 death and bodily injury per incident, and \$25,000 for property  
111 damage;

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

112 b. Personal injury protection benefits that meet the  
113 minimum coverage amounts required under ss. 627.730-627.7405;  
114 and

115 c. Uninsured and underinsured vehicle coverage as required  
116 by s. 627.727.

117 2. The coverage requirements of this paragraph may be  
118 satisfied by any of the following:

119 a. Automobile insurance maintained by the TNC driver;

120 b. Automobile insurance maintained by the TNC; or

121 c. A combination of sub-subparagraphs a. and b.

122 (c) The following automobile insurance requirements apply  
123 while a TNC driver is engaged in a prearranged ride:

124 1. Automobile insurance that provides:

125 a. A primary automobile liability coverage of at least \$1  
126 million for death, bodily injury, and property damage;

127 b. Personal injury protection benefits that meet the  
128 minimum coverage amounts required of a limousine under ss.  
129 627.730-627.7405; and

130 c. Uninsured and underinsured vehicle coverage as required  
131 by s. 627.727.

132 2. The coverage requirements of this paragraph may be  
133 satisfied by any of the following:

134 a. Automobile insurance maintained by the TNC driver;

135 b. Automobile insurance maintained by the TNC; or

136 c. A combination of sub-subparagraphs a. and b.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

137 (d) If the TNC driver's insurance under paragraph (b) or  
138 paragraph (c) has lapsed or does not provide the required  
139 coverage, the insurance maintained by the TNC must provide the  
140 coverage required under this subsection, beginning with the  
141 first dollar of a claim, and have the duty to defend such claim.

142 (e) Coverage under an automobile insurance policy  
143 maintained by the TNC must not be dependent on a personal  
144 automobile insurer first denying a claim, and a personal  
145 automobile insurance policy is not required to first deny a  
146 claim.

147 (f) Insurance required under this subsection must be  
148 provided by an insurer authorized to do business in this state  
149 which is a member of the Florida Insurance Guaranty Association  
150 or an eligible surplus lines insurer that has a superior,  
151 excellent, exceptional, or equivalent financial strength rating  
152 by a rating agency acceptable to the Office of Insurance  
153 Regulation of the Financial Services Commission.

154 (g) Insurance satisfying the requirements under this  
155 subsection is deemed to satisfy the financial responsibility  
156 requirement for a motor vehicle under chapter 324 and the  
157 security required under s. 627.733 for any period when the TNC  
158 driver is logged onto the digital network or engaged in a  
159 prearranged ride.

160 (h) A TNC driver shall carry proof of coverage satisfying  
161 paragraphs (b) and (c) with him or her at all times during his

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

162 or her use of a TNC vehicle in connection with a digital  
163 network. In the event of an accident, a TNC driver shall provide  
164 this insurance coverage information to any party directly  
165 involved in the accident or the party's designated  
166 representative, automobile insurers, and investigating police  
167 officers. Proof of financial responsibility may be presented  
168 through an electronic device, such as a digital phone  
169 application, under s. 316.646. Upon request, a TNC driver shall  
170 also disclose to any party directly involved in the accident or  
171 the party's designated representative, automobile insurers, and  
172 investigating police officers whether he or she was logged on to  
173 a digital network or was engaged in a prearranged ride at the  
174 time of the accident.

175 (i) If a TNC's insurer makes a payment for a claim covered  
176 under comprehensive coverage or collision coverage, the TNC  
177 shall cause its insurer to issue the payment directly to the  
178 business repairing the vehicle or jointly to the owner of the  
179 vehicle and the primary lienholder on the covered vehicle.

180 (8) TRANSPORTATION NETWORK COMPANY AND INSURER;  
181 DISCLOSURE; EXCLUSIONS.—

182 (a) Before a TNC driver is allowed to accept a request for  
183 a prearranged ride on the digital network, the TNC must disclose  
184 in writing to the TNC driver:

185 1. The insurance coverage, including the types of coverage  
186 and the limits for each coverage, which the TNC provides while

848583

Approved For Filing: 3/31/2017 3:58:25 PM



Amendment No.

187 the TNC driver uses a TNC vehicle in connection with the TNC's  
188 digital network.

189 2. That the TNC driver's own automobile insurance policy  
190 might not provide any coverage while the TNC driver is logged on  
191 to the digital network or is engaged in a prearranged ride,  
192 depending on the terms of the TNC driver's own automobile  
193 insurance policy.

194 3. That the provision of rides for compensation which are  
195 not prearranged rides subjects the driver to the coverage  
196 requirements imposed under s. 324.032(1) and that failure to  
197 meet such coverage requirements subjects the TNC driver to  
198 penalties provided in s. 324.221, up to and including a  
199 misdemeanor of the second degree.

200 (b)1. An insurer that provides an automobile liability  
201 insurance policy under part XI of chapter 627 may exclude any  
202 and all coverage afforded under the policy issued to an owner or  
203 operator of a TNC vehicle while driving that vehicle for any  
204 loss or injury that occurs while a TNC driver is logged on to a  
205 digital network or while a TNC driver provides a prearranged  
206 ride. Exclusions imposed under this subsection are limited to  
207 coverage while a TNC driver is logged on to a digital network or  
208 while a TNC driver provides a prearranged ride. This right to  
209 exclude all coverage may apply to any coverage included in an  
210 automobile insurance policy, including, but not limited to:

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

211 a. Liability coverage for bodily injury and property  
212 damage;

213 b. Uninsured and underinsured motorist coverage;

214 c. Medical payments coverage;

215 d. Comprehensive physical damage coverage;

216 e. Collision physical damage coverage; and

217 f. Personal injury protection.

218 2. The exclusions described in subparagraph 1. apply  
219 notwithstanding any requirement under chapter 324. These  
220 exclusions do not affect or diminish coverage otherwise  
221 available for permissive drivers or resident relatives under the  
222 personal automobile insurance policy of the TNC driver or owner  
223 of the TNC vehicle who are not occupying the TNC vehicle at the  
224 time of loss. This section does not require that a personal  
225 automobile insurance policy provide coverage while the TNC  
226 driver is logged on to a digital network, while the TNC driver  
227 is engaged in a prearranged ride, or while the TNC driver  
228 otherwise uses a vehicle to transport riders for compensation.

229 3. This section must not be construed to require an  
230 insurer to use any particular policy language or reference to  
231 this section in order to exclude any and all coverage for any  
232 loss or injury that occurs while a TNC driver is logged on to a  
233 digital network or while a TNC driver provides a prearranged  
234 ride.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

235 4. This section does not preclude an insurer from  
236 providing primary or excess coverage for the TNC driver's  
237 vehicle by contract or endorsement.

238 (c)1. An automobile insurer that excludes the coverage  
239 described in subparagraph (b)1. does not have a duty to defend  
240 or indemnify any claim expressly excluded thereunder. This  
241 section does not invalidate or limit an exclusion contained in a  
242 policy, including a policy in use or approved for use in this  
243 state before July 1, 2017, which excludes coverage for vehicles  
244 used to carry persons or property for a charge or available for  
245 hire by the public.

246 2. An automobile insurer that defends or indemnifies a  
247 claim against a TNC driver which is excluded under the terms of  
248 its policy has a right of contribution against other insurers  
249 that provide automobile insurance to the same TNC driver in  
250 satisfaction of the coverage requirements of subsection (7) at  
251 the time of loss.

252 (d) In a claims coverage investigation, a TNC shall  
253 immediately provide, upon request by a directly involved party  
254 or any insurer of the TNC driver, if applicable, the precise  
255 times that the TNC driver logged on and off the digital network  
256 in the 12-hour period immediately preceding and in the 12-hour  
257 period immediately following the accident. An insurer providing  
258 coverage under subsection (7) shall disclose, upon request by  
259 any other insurer involved in the particular claim, the

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

260 applicable coverages, exclusions, and limits provided under any  
261 automobile insurance maintained in order to satisfy the  
262 requirements of subsection (7).

263 (9) LIMITATION ON TRANSPORTATION NETWORK COMPANIES.—A TNC  
264 driver is an independent contractor and not an employee of the  
265 TNC if all of the following conditions are met:

266 (a) The TNC does not unilaterally prescribe specific hours  
267 during which the TNC driver must be logged on to the TNC's  
268 digital network.

269 (b) The TNC does not prohibit the TNC driver from using  
270 digital networks from other TNCs.

271 (c) The TNC does not restrict the TNC driver from engaging  
272 in any other occupation or business.

273 (d) The TNC and TNC driver agree in writing that the TNC  
274 driver is an independent contractor with respect to the TNC.

275 (10) ZERO TOLERANCE FOR DRUG OR ALCOHOL USE.—

276 (a) The TNC shall implement a zero-tolerance policy  
277 regarding a TNC driver's activities while accessing the TNC's  
278 digital network. The zero-tolerance policy must address the use  
279 of drugs or alcohol while a TNC driver is providing a  
280 prearranged ride or is logged on to the digital network.

281 (b) The TNC shall provide notice of this policy on its  
282 website, as well as procedures to report a complaint about a TNC  
283 driver who a rider reasonably suspects was under the influence  
284 of drugs or alcohol during the course of the ride.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

285 (c) Upon receipt of a rider's complaint alleging a  
286 violation of the zero-tolerance policy, the TNC shall suspend a  
287 TNC driver's ability to accept any ride request through the  
288 TNC's digital network as soon as possible and shall conduct an  
289 investigation into the reported incident. The suspension must  
290 last the duration of the investigation.

291 (11) TRANSPORTATION NETWORK COMPANY DRIVER REQUIREMENTS.-

292 (a) Before an individual is authorized to accept a ride  
293 request through a digital network:

294 1. The individual must submit an application to the TNC  
295 which includes information regarding his or her address, age,  
296 driver license, motor vehicle registration, and other  
297 information required by the TNC;

298 2. The TNC must conduct, or have a third party conduct, a  
299 local and national criminal background check that includes:

300 a. A search of the Multi-State/Multi-Jurisdiction Criminal  
301 Records Locator or other similar commercial nationwide database  
302 with validation of any records through primary source search;  
303 and

304 b. A search of the National Sex Offender Public Website  
305 maintained by the United States Department of Justice; and

306 3. The TNC must obtain and review, or have a third party  
307 obtain and review, a driving history research report for the  
308 applicant.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

309 (b) The TNC shall conduct the background check required  
310 under paragraph (a) for a TNC driver every 3 years.

311 (c) The TNC may not authorize an individual to act as a  
312 TNC driver on its digital network if the driving history  
313 research report conducted when the individual first seeks access  
314 to the digital network reveals that the individual has had more  
315 than three moving violations in the prior 3-year period.

316 (d) The TNC may not authorize an individual to act as a  
317 TNC driver on its digital network if the background check  
318 conducted when the individual first seeks access to the digital  
319 network or any subsequent background check required under  
320 paragraph (b) reveals that the individual:

321 1. Has been convicted, within the past 5 years, of:

322 a. A felony;

323 b. A misdemeanor for driving under the influence of drugs  
324 or alcohol, for reckless driving, for hit and run, or for  
325 fleeing or attempting to elude a law enforcement officer; or

326 c. A misdemeanor for a violent offense or sexual battery,  
327 or a crime of lewdness or indecent exposure under chapter 800;

328 2. Has been convicted, within the past 3 years, of driving  
329 with a suspended or revoked license;

330 3. Is a match in the National Sex Offender Public Website  
331 maintained by the United States Department of Justice;

332 4. Does not possess a valid driver license; or

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

333 5. Does not possess proof of registration for the motor  
334 vehicle used to provide prearranged rides.

335 (e) No later than January 1 of every other year beginning  
336 in 2019, a TNC shall submit to the Department of Financial  
337 Services an examination report prepared by an independent  
338 certified public accountant for the sole purpose of verifying  
339 that the TNC has maintained compliance with subsection (8) and  
340 this subsection on a continual basis for either the preceding 2  
341 years or for the timeframe that the TNC has been operating in  
342 this state if that timeframe is less than 2 years. The report  
343 shall expressly state whether the TNC was compliant or  
344 noncompliant. The report must be prepared in accordance with  
345 applicable attestation standards established by the American  
346 Institute of Certified Public Accountants. The TNC shall bear  
347 all costs associated with the preparation and submission of the  
348 report.

349 (f) The Department of Financial Services, within 30 days  
350 after receipt of the report required under paragraph (e), shall  
351 impose a fine of \$10,000 if the report includes a finding that  
352 the TNC has been noncompliant with subsection (8), this  
353 subsection, or both. A TNC that has been found to be  
354 noncompliant shall submit another examination report prepared by  
355 an independent certified public accountant to the department no  
356 later than January 1 of the following year. This subsequent  
357 report shall evaluate the records of the TNC for the timeframe

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

358 since the independent certified public accountant last reviewed  
359 the records of the TNC to determine whether the TNC has been  
360 compliant with subsection (8), this subsection, or both on a  
361 continual basis. The department, within 30 days after receipt of  
362 the subsequent report required by this paragraph, shall impose a  
363 fine of \$20,000 if the subsequent report includes a finding that  
364 the TNC has been noncompliant with subsection (8), this  
365 subsection, or both. Failure to timely submit any report  
366 required under this paragraph shall result in the imposition of  
367 an additional fine of \$10,000 for noncompliance. Any fine  
368 imposed by the department shall be payable within 21 days after  
369 receipt of notice from the department. The moneys so received  
370 may be deposited by the department for use in defraying the  
371 expenses of the department in the discharge of its  
372 administrative and regulatory duties under this subsection. The  
373 payment of the fine shall be stayed by the filing of a petition  
374 for an administrative proceeding pursuant to chapter 120 with  
375 the department's agency clerk. Failure to timely petition will  
376 waive any rights to an administrative hearing. The department  
377 may, pursuant to the Florida Rules of Civil Procedure, seek  
378 injunctive relief against a TNC that fails to comply with the  
379 requirements of paragraph (e) and this paragraph. The department  
380 may adopt rules to implement paragraph (e) and this paragraph.

848583

Approved For Filing: 3/31/2017 3:58:25 PM



Amendment No.

381 (g) Unless otherwise explicitly provided, this subsection  
382 does not extinguish any claim otherwise available under common  
383 law or any other statute.

384 (12) PROHIBITED CONDUCT.—

385 (a) A TNC driver may not accept a ride for compensation  
386 other than by a rider arranged through a digital network.

387 (b) A TNC driver may not solicit or accept street hails.

388 (c) A TNC may not alter the presentation of information on  
389 its digital network to an enforcement official for the purpose  
390 of thwarting or interfering with the official's enforcement or  
391 oversight of the TNC.

392 (13) NONDISCRIMINATION; ACCESSIBILITY.—

393 (a) A TNC shall adopt a policy of nondiscrimination with  
394 respect to riders and potential riders and shall notify TNC  
395 drivers of such policy.

396 (b) A TNC driver shall comply with the TNC's  
397 nondiscrimination policy.

398 (c) A TNC driver shall comply with all applicable laws  
399 regarding nondiscrimination against riders and potential riders.

400 (d) A TNC driver shall comply with all applicable laws  
401 relating to accommodation of service animals.

402 (e) A TNC may not impose additional charges for providing  
403 services to a person who has a physical disability because of  
404 the person's disability.

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

405 (f) A TNC that contracts with a governmental entity to  
406 provide paratransit services must comply with all applicable  
407 state and federal laws related to individuals with disabilities.

408 (g) A TNC shall reevaluate any decision to remove a TNC  
409 driver's authorization to access its digital network due to a  
410 low quality rating by riders if the TNC driver alleges that the  
411 low quality rating was because of a characteristic identified in  
412 the company's nondiscrimination policy and there is a plausible  
413 basis for such allegation.

414 (14) RECORDS.—A TNC shall maintain the following records:

415 (a) Individual ride records for at least 1 year after the  
416 date on which each ride is provided; and

417 (b) Individual records of TNC drivers for at least 1 year  
418 after the date on which the TNC driver's relationship with the  
419 TNC ends.

420 (15) PREEMPTION.—

421 (a) It is the intent of the Legislature to provide for  
422 uniformity of laws governing TNCs, TNC drivers, and TNC vehicles  
423 throughout the state. TNCs, TNC drivers, and TNC vehicles are  
424 governed exclusively by state law, including in any locality or  
425 other jurisdiction that enacted a law or created rules governing  
426 TNCs, TNC drivers, or TNC vehicles before July 1, 2017. A  
427 county, municipality, special district, airport authority, port  
428 authority, or other local governmental entity or subdivision may  
429 not:

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

430 1. Impose a tax on, or require a license for, a TNC, a TNC  
431 driver, or a TNC vehicle if such tax or license relates to  
432 providing prearranged rides;

433 2. Subject a TNC, a TNC driver, or a TNC vehicle to any  
434 rate, entry, operation, or other requirement of the county,  
435 municipality, special district, airport authority, port  
436 authority, or other local governmental entity or subdivision; or

437 3. Require a TNC or a TNC driver to obtain a business  
438 license or any other type of similar authorization to operate  
439 within the local governmental entity's jurisdiction.

440 (b) This subsection does not prohibit an airport or  
441 seaport from charging reasonable pickup fees consistent with any  
442 pickup fees charged to taxicab companies at that airport or  
443 seaport for their use of the airport's or seaport's facilities  
444 or prohibit the airport or seaport from designating locations  
445 for staging, pickup, and other similar operations at the airport  
446 or seaport.

447 Section 2. This act shall take effect July 1, 2017.

448

449

-----

**T I T L E A M E N D M E N T**

451

Remove everything before the enacting clause and insert:

452

A bill to be entitled

453

An act relating to transportation network companies;

454

creating s. 627.748, F.S.; defining terms; providing

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

455 for construction; providing that a transportation  
456 network company (TNC) driver is not required to  
457 register certain vehicles as commercial motor vehicles  
458 or for-hire vehicles; requiring a TNC to designate and  
459 maintain an agent for service of process in this  
460 state; providing fare requirements; providing  
461 requirements for a TNC's digital network; providing  
462 for an electronic receipt, subject to certain  
463 requirements; providing automobile insurance  
464 requirements for a TNC and a TNC driver; providing  
465 requirements for specified proof of coverage for a TNC  
466 driver under certain circumstances; providing certain  
467 disclosure requirements for a TNC driver in the event  
468 of an accident; requiring a TNC to cause its insurer  
469 to issue certain payments directly to certain parties;  
470 requiring a TNC to make specified disclosures in  
471 writing to TNC drivers under certain circumstances;  
472 authorizing specified insurers to exclude certain  
473 coverage, subject to certain limitations; providing  
474 that the right to exclude coverage applies to any  
475 coverage included in an automobile insurance policy;  
476 providing applicability; providing for construction;  
477 providing that specified automobile insurers have a  
478 right of contribution against other insurers that  
479 provide automobile insurance to the same TNC drivers

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

480 in satisfaction of certain coverage requirements under  
481 certain circumstances; requiring a TNC to provide  
482 specified information upon request by certain parties  
483 during a claims coverage investigation; requiring  
484 certain insurers to disclose specified information  
485 upon request by any other insurer involved in the  
486 particular claim; providing that TNC drivers are  
487 independent contractors if specified conditions are  
488 met; requiring a TNC to implement a zero-tolerance  
489 policy for drug or alcohol use, subject to certain  
490 requirements; providing TNC driver requirements;  
491 requiring a TNC to conduct a certain background check  
492 for a TNC driver after a specified period; requiring a  
493 TNC to submit an examination report prepared by a  
494 certified public accountant to the Department of  
495 Financial Services to verify certain compliance;  
496 authorizing the department to impose specified fines  
497 for noncompliance; providing applicability;  
498 prohibiting a TNC driver from accepting certain rides  
499 or soliciting or accepting street hails; prohibiting a  
500 TNC from altering presentation of information on its  
501 digital network to an enforcement official; requiring  
502 a TNC to adopt a policy of nondiscrimination with  
503 respect to riders and potential riders and to notify  
504 TNC drivers of such policy; requiring TNC drivers to

848583

Approved For Filing: 3/31/2017 3:58:25 PM

Amendment No.

505 |       comply with the nondiscrimination policy and certain  
506 |       applicable laws regarding nondiscrimination and  
507 |       accommodation of service animals; prohibiting a TNC  
508 |       from imposing additional charges for providing  
509 |       services to persons who have physical disabilities;  
510 |       requiring a TNC that contracts with a governmental  
511 |       entity to provide paratransit services to comply with  
512 |       certain state and federal laws; requiring a TNC to  
513 |       reevaluate a decision to remove a TNC driver's  
514 |       authorization to access its digital network in certain  
515 |       instances; requiring a TNC to maintain specified  
516 |       records; providing legislative intent; specifying that  
517 |       TNCs, TNC drivers, and TNC vehicles are governed  
518 |       exclusively by state law; prohibiting local  
519 |       governmental entities and subdivisions from taking  
520 |       specified actions; providing applicability; providing  
521 |       an effective date.

848583

Approved For Filing: 3/31/2017 3:58:25 PM