

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/CS/HB 1525](#)

**TITLE:** Prearranged Transportation Services

**SPONSOR(S):** Busatta

**COMPANION BILL:** [CS/SB 1696](#) (Calatayud)

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 116 Y's

0 N's

**GOVERNOR'S ACTION:**

Pending

### SUMMARY

#### Effect of the Bill:

The bill prohibits a person from willfully impersonating a transportation network company (TNC) driver by engaging in specified conduct. Under the bill, a violation of the prohibition is a generally a second degree misdemeanor, however, a person commits a third degree felony if he or she willfully impersonates a TNC driver during the commission of, or to facilitate the commission of, a separate felony offense.

Additionally, the bill clarifies that services purchased from a TNC do not qualify as privately owned or operated bus transit systems and that a TNC is not a transportation service provider, and thus TNCs are not subject to specified regulations. The bill also authorizes the Commission for the Transportation Disadvantaged to expend funds to contract with alternative providers to support transportation services for persons with disabilities.

#### Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on jail and prison beds by creating a new misdemeanor and felony offense for impersonating a TNC driver, which may result in increased jail and prison admissions. The bill may have an indeterminate positive impact on the private sector by exempting TNCs from specified requirements related to safety inspections and driver training, and by enabling alternative providers to receive specified funds to support transportation services for persons with disabilities.

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## ANALYSIS

### EFFECT OF THE BILL:

The bill creates a criminal offense related to the impersonation of a [transportation network company](#) (TNC) driver. Under the bill, a person commits a second degree misdemeanor<sup>1</sup> if he or she willfully impersonates a [TNC driver](#) by:

- Making a false statement;
- Displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a TNC; or
- Engaging in any other act that falsely represents that he or she represents a TNC or is responding to a passenger ride request for a TNC. (Section [1](#))

Additionally, a person who willfully impersonates a TNC driver during the commission of, or to facilitate the commission of, a separate felony offense commits a third degree felony.<sup>2</sup> (Section [1](#))

The bill clarifies that services purchased from a TNC do not qualify as “privately owned or operated bus transit systems,” and thus are not subject to specified regulations related to [transit safety standards](#), inspections, and system safety reviews. (Section [2](#))

The bill amends the definition of “[transportation service provider](#)” to specify that such service providers:

<sup>1</sup> A second degree misdemeanor is punishable by up to 60 days in county jail and a \$500 fine. [Ss. 775.082](#) and [775.083, F.S.](#)

<sup>2</sup> A third degree felony is punishable by up to five years in prison and a \$5,000 fine. [Ss. 775.082](#), [775.083](#), or [775.084, F.S.](#)

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- Are organizations or entities that contract with local governments to provide paratransit service to persons with disabilities using a dedicated fleet of vehicles operated by its employees or directly contracted drivers who meet paratransit service standards; and
- Do not include TNCs as defined in [s. 627.748\(1\), F.S.](#) (Section 4)

The bill changes the current requirement for transportation service providers to provide training to each driver of a motor vehicle used to provide paratransit service to persons with disabilities, which must meet requirements established by the Agency for Persons with Disabilities, to instead require such transportation service providers to provide each driver with *access* to third-party training materials that meet such requirements. (Section 4)

Finally, the bill authorizes the [Commission for the Transportation Disadvantaged](#) to expend funds to contract with alternative providers with dedicated vehicles and trained personnel specializing in paratransit services to support transportation services for persons with disabilities. Under the bill, such entities shall provide specialized transportation services tailored to the specific needs of riders that comply with service standards established by the commission to ensure safe and accessible mobility options. (Section 3)

Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2025. (Section 5)

## **FISCAL OR ECONOMIC IMPACT:**

### **STATE GOVERNMENT:**

The bill may have an indeterminate positive impact on prison beds by creating a felony offense related to impersonating a TNC driver, which may result in more offenders being sentenced to prison.

### **LOCAL GOVERNMENT:**

The bill may have an indeterminate positive impact on jail beds by creating a misdemeanor offense related to impersonating a TNC driver, which may result in more offenders being sentenced to jail.

### **PRIVATE SECTOR:**

The bill may have an indeterminate positive impact on the private sector by exempting TNCs from specified requirements related to safety inspections and driver training, which may reduce expenses incurred by TNCs that are currently complying with such requirements, and by enabling alternative providers to receive specified funds to support transportation services for persons with disabilities.

## **RELEVANT INFORMATION**

### **SUBJECT OVERVIEW:**

#### **[Transportation Network Companies](#)**

In 2017, the Legislature established a regulatory framework for transportation network companies.<sup>3</sup> A “transportation network company” or “TNC” is an entity operating in this state using a digital network to connect a rider to a TNC driver, who provides prearranged rides. Specifically, a TNC:

- Does not own, control, operate, direct, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract.
- Is not a taxicab association.
- Is not an individual, corporation, partnership, sole proprietorship, or other entity that arranges medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.<sup>4</sup>

<sup>3</sup> [S. 627.748, F.S.](#)

<sup>4</sup> However, a TNC may provide prearranged rides to individuals who qualify for Medicaid or Medicare if it meets specified requirements under [s. 627.748, F.S.](#)

A [TNC driver](#) receives connections to potential riders and related services from a TNC and in return for compensation, uses a TNC vehicle to offer or provide a prearranged ride to a rider after being connected through a digital network.<sup>5</sup> A TNC or TNC driver is not a common carrier, contract carrier, or motor carrier and does not provide taxicab service, and is not required to register a TNC vehicle as a commercial motor vehicle or a for-hire vehicle.<sup>6</sup> A TNC's digital network must display the TNC driver's photograph and the TNC vehicle's license plate number before the rider enters the TNC vehicle.<sup>7</sup>

### **Transit Safety Standards**

Section [341.061, F.S.](#), requires the Department of Transportation (Department) to adopt rules establishing minimum equipment and operational safety standards for the following entities:

- Governmentally owned bus transit systems and privately owned or operated bus transit systems operating in this state that are financed wholly or partly by state funds;
- Bus transit systems created pursuant to chapter 427, F.S., including school buses and other forms of public transportation; and
- Privately owned or operated bus transit systems under contract with any of the above systems.

Such bus transit system standards must be developed jointly by the Department and representatives of the transit systems. Accordingly, each bus transit system must:

- Develop a transit safety program plan that complies with established standards;
- Certify to the Department that such plan complies with established standards; and
- Implement and comply with the plan during the operation of the transit system.<sup>8</sup>

Additionally, as part of the safety plan, each bus transit system must:

- Require all transit buses operated by the system to be inspected at least annually in accordance with established standards;
- Ensure that qualified personnel of the bus transit system, or public or private entities qualified by the bus transit system, perform safety inspections; and
- Annually certify in writing to the Department that it has complied with the adopted safety program plan and safety inspections.<sup>9,10</sup>

### **Transportation Service Providers**

A "transportation service provider" is an organization or entity that contracts with a local government to provide paratransit service to persons with disabilities.<sup>11</sup> In part, for contracts entered into or renewed on or after October 1, 2024, a transportation service provider must agree to provide training to each driver of a motor vehicle used to provide paratransit service to persons with disabilities which, at a minimum, meets requirements established by the Agency for Persons with Disabilities<sup>12</sup> for training and professional development of staff providing direct services to clients of the agency.<sup>13</sup>

### **Transportation Disadvantaged Trust Fund**

Section [427.0159, F.S.](#), establishes the Transportation Disadvantaged Trust Fund within the State Treasury, administered by the Commission for the Transportation Disadvantaged. The Legislature appropriates funds to the

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<sup>5</sup> [S. 627.748\(1\)\(g\), F.S.](#)

<sup>6</sup> [S. 627.748\(2\), F.S.](#)

<sup>7</sup> [S. 627.748\(5\), F.S.](#)

<sup>8</sup> [S. 341.061\(2\)\(a\), F.S.](#)

<sup>9</sup> [S. 341.061\(2\)\(b\), F.S.](#)

<sup>10</sup> The Department may conduct a review of any bus transit system that does not comply with specified safety program plan regulations, which may result in adverse findings and required corrective actions. The system operator must suspend an affected system service until corrective action is taken if continued operation of the system, or a portion thereof, poses an immediate danger to public safety, and the Department itself may require such affected system service to be suspended if the system operator fails to take corrective action or fails to suspend service when immediate danger to the public exists. [S. 341.061\(2\)\(c\), F.S.](#)

<sup>11</sup> [S. 427.02\(1\), F.S.](#)

<sup>12</sup> *State of Florida, APD - Agency for Persons with Disabilities* (last visited Apr. 8, 2025).

<sup>13</sup> [S. 427.02\(2\)\(a\), F.S.](#)

commission which must be used to both carry out the commission’s responsibilities and fund the commission’s administrative expenses.<sup>14</sup>

Additionally, the commission may use funds to subsidize a portion of a transportation disadvantaged person’s<sup>15</sup> transportation costs that are not sponsored by an agency, but only if a cash or in-kind match is required. Funds for nonsponsored transportation disadvantaged services must be distributed based upon the need of the recipient and according to criteria developed by the commission.<sup>16</sup> A purchasing agency may deposit funds into the trust fund for the commission to implement, manage, and administer the purchasing agency’s transportation disadvantaged funds.<sup>17,18</sup>

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<sup>14</sup> [S. 427.0159\(2\), F.S.](#)

<sup>15</sup> “Transportation disadvantaged” means those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in [s. 411.202, F.S.](#) [S. 427.011\(1\), F.S.](#)

<sup>16</sup> [S. 427.0159\(3\), F.S.](#)

<sup>17</sup> [S. 427.0159\(4\), F.S.](#)

<sup>18</sup> “Transportation disadvantaged funds” means any local government, state, or available federal funds that are for the transportation of the transportation disadvantaged. Such funds may include, but are not limited to, funds for planning, Medicaid transportation, administration, operation, procurement, and maintenance of vehicles or equipment and capital investments. Transportation disadvantaged funds do not include funds for the transportation of children to public schools. [S. 427.011\(10\), F.S.](#)