
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 889 Session of
2021

INTRODUCED BY TARTAGLIONE, KANE, SAVAL, FONTANA, CAPPELLETTI,
COSTA AND BREWSTER, OCTOBER 18, 2021

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
OCTOBER 18, 2021

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in transportation network service,
3 further providing for rates and forms of compensation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 2607 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:

8 § 2607. Rates and forms of compensation.

9 * * *

10 (g) Study.--

11 (1) The Joint State Government Commission shall conduct
12 a study on:

13 (i) Income drivers derive from operating personal
14 vehicles for a transportation network company.

15 (ii) Traffic congestion throughout the service area
16 of a transportation network company and the extent a
17 company's vehicles contribute to the congestion.

18 (iii) Traffic safety.

1 (iv) Vehicle utilization rates.

2 (v) Access to the transportation network service in
3 different geographic areas of this Commonwealth.

4 (vi) The number of hours that drivers make
5 themselves available to accept dispatches from a
6 transportation network company by day or week.

7 (vii) Driver incomes and well-being.

8 (viii) Other topics the Joint State Government
9 Commission deems appropriate.

10 (2) For each prearranged ride a transportation network
11 company offers, the Joint State Government Commission may
12 require the following data be provided:

13 (i) For a prearranged ride:

14 (A) The driver's license number of the driver.

15 (B) The license plate number of the vehicle that
16 fulfilled the prearranged ride request.

17 (C) The location that a passenger is picked up
18 and subsequently dropped off.

19 (D) The total number of passengers picked up and
20 dropped off from the location referenced in clause
21 (C).

22 (E) The date and time a passenger is picked up
23 and dropped off.

24 (F) The total ride mileage of a prearranged
25 ride.

26 (G) The date and time a prearranged ride request
27 was made by a passenger.

28 (H) The itemized fare for each prearranged ride,
29 including the amount of the fare, tolls, surcharges,
30 rates, other deductions, gratuity and a breakdown of

1 the amount a passenger paid for the prearranged ride.

2 (I) The payment that a driver received for a
3 prearranged ride or the hourly rate paid.

4 (ii) The total amount of time a vehicle is connected
5 to the electronic platform of a transportation network
6 company each day.

7 (iii) The amount of time spent each day by a driver:

8 (A) Providing transportation network services.

9 (B) On the way to a passenger.

10 (C) Between prearranged rides but not on the way
11 to a passenger.

12 (iv) Additional information required by the Joint
13 State Government Commission to conduct the study required
14 under this subsection.

15 (3) The study shall be completed within 12 months of the
16 effective date of this subsection.

17 (4) The Joint State Government Commission shall issue a
18 report within 12 months of the effective date of this
19 subsection to the following entities:

20 (i) The chair of the Pennsylvania Public Utility
21 Commission.

22 (ii) The Secretary of Transportation.

23 (iii) The majority and minority chairs of the
24 Consumer Protection and Professional Licensure Committee
25 of the Senate.

26 (iv) The majority and minority chairs of the
27 Consumer Affairs Committee of the House of
28 Representatives.

29 (v) The majority and minority chairs of the
30 Transportation Committee of the Senate.

1 (vi) The majority and minority chairs of the
2 Transportation Committee of the House of Representatives.

3 (h) Minimum payments to drivers.--

4 (1) Within six months of the issuance of the report
5 conducted under subsection (g), the commission shall by rule
6 or order establish a method for determining the minimum
7 payment that shall be paid to a transportation network
8 company driver for a prearranged ride. In establishing a
9 minimum payment method, the commission shall consider:

10 (i) The duration and distance of the prearranged
11 ride.

12 (ii) The expenses of operation to the driver.

13 (iii) Applicable vehicle utilization standard.

14 (iv) Rates of fares.

15 (v) The adequacy of a driver's income considered in
16 relation to a driver's expenses.

17 (2) A rule promulgated by the commission under this
18 subsection shall not prevent payments to transportation
19 network company drivers from being calculated on an hourly or
20 weekly basis, or by another method, provided that the actual
21 payments made to drivers are no less than the minimum
22 payments determined in accordance with the method established
23 by the commission under this subsection.

24 (i) Minimum rates of fares.--

25 (1) Following issuance of the report under subsection
26 (g), the commission shall determine if the establishment of a
27 minimum rate of fare charged by a transportation network
28 company would substantially alleviate problems identified in
29 the study.

30 (2) If the commission determines that a minimum rate of

1 fare would substantially alleviate problems identified in the
2 study, the commission shall, by rule or order, establish a
3 minimum rate of fare for transportation network company
4 services.

5 (3) In setting a minimum rate of fare, the commission
6 may consider:

7 (i) The category of vehicle.

8 (ii) The type of prearranged ride, including
9 prearranged rides in which the vehicle is available for
10 the transportation of two or more passengers.

11 (iii) The rates of fare for other categories of
12 vehicles carrying passengers for hire, including
13 taxicabs.

14 (iv) The location of the prearranged ride.

15 (v) Other factors the commission determines to be
16 appropriate to achieve the intended result.

17 (4) A minimum rate of fare may not include taxes, fees
18 or surcharges imposed on prearranged rides made by a
19 transportation network company.

20 (5) If the commission establishes a minimum rate of fare
21 under paragraph (2), the commission shall, on a periodic
22 basis, but not less than once annually, review minimum rates
23 of fare in order to determine whether an amendment of the
24 minimum rates of fare are warranted or necessary to achieve
25 the intended result.

26 Section 2. This act shall take effect immediately.