

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 984 Session of 2015

INTRODUCED BY BARTOLOTTA, WHITE, VANCE, ALLOWAY, ARGALL, SMUCKER, STEFANO, WAGNER, WARD, McILHINNEY, CORMAN AND MENSCH, SEPTEMBER 8, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 18, 2016

AN ACT

1 Amending Titles 53 (Municipalities Generally), 66 (Public
2 Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated
3 Statutes, in taxicabs and limousines in first class cities,
4 further providing for definitions and for certificate of
5 public convenience required; PROVIDING FOR TRANSPORTATION <--
6 NETWORK COMPANIES AND FOR REGULATION OF TAXICABS AND <--
7 LIMOUSINES IN CITIES OF THE FIRST CLASS; in general
8 provisions, further providing for definitions; in powers and
9 duties, providing for power of commission to confiscate,
10 impound and sell vehicles; in contract carrier by motor
11 vehicle and broker, further providing for declaration of
12 policy and definitions; providing for motor carrier
13 regulations and for transportation network service; and, in
14 general provisions, further providing for definitions.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The definitions of "call or demand service" or
18 "taxicab service" and "limousine service" in section 5701 of
19 Title 53 of the Pennsylvania Consolidated Statutes are amended
20 to read:

21 § 5701. Definitions.

22 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 \* \* \*

4 "Call or demand service" or "taxicab service." Local common  
5 carrier service for passengers, rendered on either an exclusive  
6 or nonexclusive basis, where the service is characterized by the  
7 fact that passengers normally hire the vehicle and its driver  
8 either by telephone call or by hail, or both. The term does not  
9 include transportation network service as defined in 66 Pa.C.S. <--  
10 § 102 SECTION 57A01 (relating to definitions) or limousine <--  
11 service.

12 \* \* \*

13 "Limousine service."

14 (1) Except as provided in paragraph (2), a motor vehicle  
15 providing any of the following services:

16 (i) Local, nonscheduled common carrier service for  
17 passengers on an exclusive basis for compensation.

18 (ii) Common carrier service for passengers for  
19 compensation:

20 (A) from any airport, railroad station or hotel  
21 located in whole or in part in a city of the first  
22 class; or

23 (B) to any airport, railroad station or hotel  
24 located in whole or in part in a city of the first  
25 class from a point within the city of the first  
26 class.

27 (2) The term does not include any of the following:

28 (i) Taxicab service.

29 (ii) Service that was otherwise exempt from the  
30 jurisdiction of the Pennsylvania Public Utilities

1 Commission prior to the effective date of this  
2 subparagraph.

3 (iii) Other paratransit service.

4 (iv) Employee commuter van pooling.

5 (v) A vehicle with a seating capacity of 16 or more  
6 persons, including the driver.

7 (vi) Transportation network service as defined in 66<--

8 Pa.C.S. § 102 SECTION 57A01 (relating to definitions). <--

9 \* \* \*

10 Section 1.1. Section 5741(c) of Title 53 is amended to read:

11 § 5741. Certificate of public convenience required.

12 \* \* \*

13 (c) Restrictions.--

14 (1) Certificates issued pursuant to this subchapter  
15 shall be nontransferable unless a transfer is approved by the  
16 authority.

17 (2) A limousine service provider operating pursuant to  
18 an authority-issued certificate of public convenience and a  
19 filed tariff permitting the limousine service provider to  
20 charge mileage-based rates on the effective date of this  
21 paragraph shall be permitted to continue to charge mileage-  
22 based rates and to be regulated in the same manner as  
23 traditional limousine service providers.

24 \* \* \*

25 SECTION 1.2. TITLE 53 IS AMENDED BY ADDING ~~A CHAPTER~~ CHAPTERS <--

26 TO READ:

27 CHAPTER 57A

28 TRANSPORTATION NETWORK COMPANIES

29 SEC.

30 57A01. DEFINITIONS.

- 1 57A02. LICENSE REQUIRED.  
2 57A03. APPLICATION.  
3 57A04. QUALIFICATIONS FOR LICENSURE.  
4 57A05. LICENSE ISSUANCE AND APPEAL OF DENIAL.  
5 57A06. LICENSE ENFORCEMENT.  
6 57A06.1. APPEALS GENERALLY.  
7 57A07. INSURANCE REQUIREMENTS.  
8 57A08. VEHICLE OWNERSHIP AND STANDARDS.  
9 57A09. VEHICLE INSPECTIONS.  
10 57A10. DISTINCTIVE SIGNAGE.  
11 57A11. TRANSPORTATION NETWORK SERVICE ACCESSIBILITY.  
12 57A12. TRANSPORTATION NETWORK COMPANY DRIVERS.  
13 57A13. INTOXICATING SUBSTANCE POLICY.  
14 57A14. REPORTING REQUIREMENT.  
15 57A15. DRIVER CREDENTIALS.  
16 57A16. OPERATING REGULATIONS.  
17 57A17. FARE RATES.  
18 57A18. RECORDS AND REPORTS.  
19 57A19. PENALTIES.  
20 57A20. IMPOUNDMENT OF VEHICLES.  
21 57A21. ENFORCEMENT AND RULES AND REGULATIONS.  
22 57A22. TRANSPORTATION NETWORK SERVICE FUND ASSESSMENT. <--

23 § 57A01. DEFINITIONS.

24 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
25 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
26 CONTEXT CLEARLY INDICATES OTHERWISE:

27 "AUTHORITY." A PARKING AUTHORITY OF A CITY OF THE FIRST  
28 CLASS ESTABLISHED AND INCORPORATED IN ACCORDANCE WITH 53 PA.C.S.  
29 CH. 55 (RELATING TO PARKING AUTHORITIES).

30 "CITY." A CITY OF THE FIRST CLASS AS DEFINED BY THE ACT OF

1 JUNE 25, 1895 (P.L.275, NO.188), ENTITLED "AN ACT DIVIDING THE  
2 CITIES OF THIS STATE INTO THREE CLASSES WITH RESPECT TO THEIR  
3 POPULATION, AND DESIGNATING THE MODE OF ASCERTAINING AND  
4 CHANGING THE CLASSIFICATION THEREOF IN ACCORDANCE THEREWITH."

5 "DIGITAL NETWORK." AN ONLINE-ENABLED APPLICATION, SOFTWARE,  
6 WEBSITE OR SYSTEM OFFERED OR UTILIZED BY A TRANSPORTATION  
7 NETWORK COMPANY THAT ENABLES THE PREARRANGEMENT OF RIDES WITH  
8 TRANSPORTATION NETWORK COMPANY DRIVERS.

9 "DYNAMIC PRICING." A TRANSPORTATION NETWORK COMPANY'S  
10 PRACTICE OF ADJUSTING THE CALCULATION USED TO DETERMINE FARES AT  
11 CERTAIN TIMES AND LOCATIONS IN RESPONSE TO THE SUPPLY OF  
12 TRANSPORTATION NETWORK COMPANY DRIVERS ~~OR~~ AND THE DEMAND FOR <--  
13 TRANSPORTATION NETWORK COMPANY DRIVERS' SERVICES.

14 "LICENSE." PROOF OF THE AUTHORITY'S APPROVAL AUTHORIZING A  
15 TRANSPORTATION NETWORK COMPANY TO OPERATE A TRANSPORTATION  
16 NETWORK COMPANY IN ACCORDANCE WITH THIS CHAPTER. THE TERM DOES  
17 NOT INCLUDE A CERTIFICATE OF PUBLIC CONVENIENCE AS DESCRIBED  
18 UNDER SECTION 5741 (RELATING TO CERTIFICATE OF PUBLIC  
19 CONVENIENCE REQUIRED).

20 "PERSONAL VEHICLE." AS FOLLOWS:

21 (1) A VEHICLE THAT IS USED BY A TRANSPORTATION NETWORK  
22 COMPANY DRIVER AND IS OWNED, LEASED OR OTHERWISE AUTHORIZED  
23 FOR USE BY THE TRANSPORTATION NETWORK COMPANY DRIVER.

24 (2) THE TERM DOES NOT INCLUDE:

25 (I) A CALL OR DEMAND SERVICE OR LIMOUSINE SERVICE AS  
26 DEFINED UNDER SECTION 5701 (RELATING TO DEFINITIONS);

27 (II) A PARATRANSIT SERVICE REGULATED BY THE  
28 PENNSYLVANIA PUBLIC UTILITY COMMISSION UNDER 52 PA. CODE  
29 §§ 29.353 (RELATING TO METHOD OF OPERATION IN PARATRANSIT  
30 SERVICE), 29.354 (RELATING TO VEHICLE AND EQUIPMENT

1 REQUIREMENTS: PARATRANSIT SERVICE) AND 29.355 (RELATING  
2 TO TARIFF REQUIREMENTS); OR

3 (III) A VEHICLE OPERATED UNDER A RIDESHARING  
4 ARRANGEMENT OR BY A RIDESHARING OPERATOR AS DEFINED UNDER  
5 THE ACT OF DECEMBER 14, 1982 (P.L.1211, NO.279), ENTITLED  
6 "AN ACT PROVIDING FOR RIDESHARING ARRANGEMENTS AND  
7 PROVIDING THAT CERTAIN LAWS SHALL BE INAPPLICABLE TO  
8 RIDESHARING ARRANGEMENTS."

9 (3) A VEHICLE OPERATED IN A SHARED-EXPENSE ARRANGEMENT  
10 WHERE AN INDIVIDUAL RECEIVES REIMBURSEMENT THAT DOES NOT  
11 EXCEED THE ACTUAL COSTS INCURRED WHILE PROVIDING  
12 TRANSPORTATION.

13 "PREARRANGED RIDE." THE PROVISION OF TRANSPORTATION BY A  
14 TRANSPORTATION NETWORK COMPANY DRIVER TO A PASSENGER,  
15 ORIGINATING IN A CITY AND BEGINNING WHEN A TRANSPORTATION  
16 NETWORK COMPANY DRIVER ACCEPTS A RIDE REQUESTED BY A PASSENGER  
17 THROUGH A DIGITAL NETWORK, CONTINUING WHILE THE DRIVER  
18 TRANSPORTS THE PASSENGER AND ENDING WHEN THE LAST PASSENGER  
19 DEPARTS FROM THE PERSONAL VEHICLE. FOR PURPOSES OF THIS CHAPTER,  
20 A PREARRANGED RIDE DOES NOT INCLUDE:

21 (1) TRANSPORTATION PROVIDED USING A CALL OR DEMAND  
22 SERVICE OR LIMOUSINE SERVICE AS DEFINED UNDER SECTION 5701  
23 (RELATING TO DEFINITIONS);

24 (2) PARATRANSIT SERVICE REGULATED BY THE PENNSYLVANIA  
25 PUBLIC UTILITY COMMISSION UNDER 52 PA. CODE §§ 29.353  
26 (RELATING TO METHOD OF OPERATION IN PARATRANSIT SERVICE),  
27 29.354 (RELATING TO VEHICLE AND EQUIPMENT REQUIREMENTS:  
28 PARATRANSIT SERVICE) AND 29.355 (RELATING TO TARIFF  
29 REQUIREMENTS);

30 (3) A DRIVER OPERATING UNDER RIDESHARING ARRANGEMENT OR

1 RIDESHARING OPERATOR AS DEFINED UNDER THE ACT OF DECEMBER 14,  
2 1982 (P.L.1211, NO.279), ENTITLED "AN ACT PROVIDING FOR  
3 RIDESHARING ARRANGEMENTS AND PROVIDING THAT CERTAIN LAWS  
4 SHALL BE INAPPLICABLE TO RIDESHARING ARRANGEMENTS"; OR

5 (4) A SHARED-EXPENSE ARRANGEMENT WHERE AN INDIVIDUAL  
6 RECEIVES REIMBURSEMENT THAT DOES NOT EXCEED THE ACTUAL COSTS  
7 INCURRED WHILE PROVIDING TRANSPORTATION.

8 "TRANSPORTATION NETWORK COMPANY" OR "TNC." A PERSON OR  
9 ENTITY THAT OBTAINS A LICENSE TO OPERATE A TRANSPORTATION  
10 NETWORK SERVICE BY THE AUTHORITY AND USES A DIGITAL NETWORK TO  
11 FACILITATE PREARRANGED RIDES.

12 "TRANSPORTATION NETWORK COMPANY DRIVER" OR "DRIVER." AN  
13 INDIVIDUAL WHO:

14 (1) RECEIVES CONNECTIONS TO POTENTIAL PASSENGERS AND  
15 RELATED SERVICES FROM A TRANSPORTATION NETWORK COMPANY, IN  
16 EXCHANGE FOR PAYMENT OF A FEE TO THE TRANSPORTATION NETWORK  
17 COMPANY.

18 (2) USES A PERSONAL VEHICLE TO OFFER OR PROVIDE A  
19 PREARRANGED RIDE TO PASSENGERS UPON CONNECTION THROUGH A  
20 DIGITAL NETWORK CONTROLLED BY A TRANSPORTATION NETWORK  
21 COMPANY IN RETURN FOR COMPENSATION OR PAYMENT OF A FEE.

22 THE TERM SHALL NOT INCLUDE AN INDIVIDUAL WHO RECEIVES  
23 REIMBURSEMENT THAT DOES NOT EXCEED THE ACTUAL COSTS INCURRED  
24 WHILE PROVIDING TRANSPORTATION.

25 "TRANSPORTATION NETWORK COMPANY PASSENGER" OR "PASSENGER." A  
26 PERSON WHO USES A DIGITAL NETWORK TO CONNECT WITH A  
27 TRANSPORTATION NETWORK COMPANY DRIVER WHO PROVIDES PREARRANGED  
28 RIDES TO THE PASSENGER IN THE DRIVER'S PERSONAL VEHICLE.

29 "TRANSPORTATION NETWORK SERVICE" OR "SERVICE." AS FOLLOWS:

30 (1) A SERVICE WHICH MEETS ALL OF THE FOLLOWING:

1           (I) MATCHES A PASSENGER AND TRANSPORTATION NETWORK  
2           COMPANY DRIVER USING A DIGITAL NETWORK IN ADVANCE OF A  
3           PREARRANGED RIDE.

4           (II) IS CHARACTERIZED BY A TRANSPORTATION NETWORK  
5           COMPANY DRIVER OFFERING OR PROVIDING A PREARRANGED RIDE  
6           TO A PASSENGER.

7           (III) ORIGINATES WITHIN THE CITY.

8           (IV) IS RENDERED ON AN EXCLUSIVE BASIS.  
9           FOR PURPOSES OF THIS PARAGRAPH, THE TERM "EXCLUSIVE  
10           BASIS" MEANS A TRANSPORTATION NETWORK SERVICE ON A GIVEN  
11           PREARRANGED RIDE WHEN EACH INDIVIDUAL, PARTY OR GROUP MAY  
12           NOT BE REQUIRED TO RIDE WITH ANOTHER PASSENGER ON THAT  
13           PREARRANGED RIDE UNLESS THE INDIVIDUAL, PARTY OR GROUP  
14           CONSENTS TO ADDITIONAL PASSENGERS ON THE PREARRANGED  
15           RIDE.

16           (2) THE TERM INCLUDES THE PERIODS WHEN:

17           (I) A DRIVER IS LOGGED ONTO A TRANSPORTATION NETWORK  
18           COMPANY'S DIGITAL NETWORK AND AVAILABLE FOR SERVICE.

19           (II) A DRIVER IS CONDUCTING A PREARRANGED RIDE.  
20           "WHEELCHAIR-ACCESSIBLE VEHICLE." A VEHICLE THAT CAN  
21           ACCOMMODATE AT LEAST ONE PERSON IN A WHEELCHAIR WITHOUT THE  
22           PERSON HAVING TO TRANSFER FROM THE WHEELCHAIR TO ANOTHER SEAT  
23           AND THAT MEETS REQUIREMENTS ESTABLISHED UNDER THE AMERICANS WITH  
24           DISABILITIES ACT OF 1990 (PUBLIC LAW 101-336, 104 STAT. 327) OR  
25           REQUIREMENTS THAT ARE A FUNCTIONAL EQUIVALENT AND APPROVED BY  
26           THE AUTHORITY, OR BOTH.

27           § 57A02. LICENSE REQUIRED.

28           (A) GENERAL RULE.--NO PERSON SHALL ENGAGE IN THE BUSINESS OF  
29           A TRANSPORTATION NETWORK COMPANY WITHOUT A LICENSE ISSUED BY THE  
30           AUTHORITY UNDER THIS CHAPTER.

1 (B) PERSONAL VEHICLE PROHIBITED.--NO PERSONAL VEHICLE SHALL  
2 BE USED TO PROVIDE TRANSPORTATION NETWORK SERVICE IN THE CITY  
3 EXCEPT BY A DRIVER AFFILIATED WITH A TRANSPORTATION NETWORK  
4 COMPANY LICENSED BY THE AUTHORITY UNDER THIS CHAPTER.

5 (C) EXCEPTION.--A PERSONAL VEHICLE OPERATED BY A DRIVER  
6 AFFILIATED WITH A COMPANY OPERATING IN THIS COMMONWEALTH  
7 PURSUANT TO A LICENSE ISSUED BY THE PUBLIC UTILITY COMMISSION OR  
8 WITH A COMPANY THAT AUTHORIZES DRIVERS TO OPERATE IN ANY OTHER  
9 MUNICIPALITY, STATE OR OTHER POLITICAL SUBDIVISION MAY COME INTO  
10 THE CITY TO DISCHARGE PASSENGERS WHOSE TRIP ORIGINATED OUTSIDE  
11 OF THE CITY.

12 (D) REGULATORY JURISDICTION.--THE AUTHORITY SHALL HAVE  
13 EXCLUSIVE REGULATORY JURISDICTION OVER TRANSPORTATION NETWORK  
14 SERVICE ORIGINATING IN THE CITY AND MAY ADOPT RULES AND  
15 REGULATIONS AS AUTHORIZED UNDER SECTION 57A21(C) (RELATING TO  
16 ENFORCEMENT AND RULES AND REGULATIONS). THE AUTHORITY IS  
17 EMPOWERED TO ISSUE, SUSPEND, CANCEL OR REVOKE TRANSPORTATION  
18 NETWORK COMPANY LICENSES OR ISSUE AN ORDER REQUIRING  
19 DISQUALIFICATION OF A DRIVER IN ACCORDANCE WITH SECTION 57A19  
20 (RELATING TO PENALTIES). THE AUTHORITY SHALL BE AUTHORIZED TO  
21 INSPECT, AUDIT AND INVESTIGATE ANY RECORDS OF THE TRANSPORTATION  
22 NETWORK COMPANY AS NECESSARY TO ENSURE COMPLIANCE WITH THIS  
23 CHAPTER IN ACCORDANCE WITH SECTION 57A18 (RELATING TO RECORDS  
24 AND REPORTS). INFORMATION DISCLOSED TO THE AUTHORITY UNDER THIS  
25 CHAPTER SHALL BE EXEMPT FROM DISCLOSURE TO A THIRD PERSON,  
26 INCLUDING THROUGH A REQUEST SUBMITTED UNDER THE ACT OF FEBRUARY  
27 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.  
28 § 57A03. APPLICATION.

29 (A) GENERAL RULE.--IN ADDITION TO THE POWERS CONFERRED UPON  
30 THE AUTHORITY BY OTHER PROVISIONS OF THIS TITLE, THE AUTHORITY

1 IS EMPOWERED TO ISSUE, SUSPEND, CANCEL OR REVOKE LICENSES IN  
2 ACCORDANCE WITH THIS CHAPTER AND ORDERS OR REGULATIONS OF THE  
3 AUTHORITY.

4 (B) APPLICATION.--AN APPLICATION FOR A LICENSE UNDER THIS  
5 TITLE SHALL BE MADE TO THE AUTHORITY IN WRITING, BE VERIFIED BY  
6 OATH OR AFFIRMATION AND BE IN SUCH FORM AND CONTAIN SUCH  
7 INFORMATION AS THE AUTHORITY MAY REQUIRE IN ACCORDANCE WITH THIS  
8 CHAPTER. EACH APPLICATION SHALL CONTAIN:

9 (1) IF THE LICENSE APPLICANT IS AN INDIVIDUAL:

10 (I) THE INDIVIDUAL'S FULL NAME, SOCIAL SECURITY  
11 NUMBER, RESIDENCE ADDRESS, BUSINESS ADDRESS, BUSINESS E-  
12 MAIL ADDRESS AND BUSINESS TELEPHONE NUMBER.

13 (II) PROOF THAT THE APPLICANT IS AT LEAST 18 YEARS  
14 OF AGE.

15 (2) IF THE LICENSE APPLICANT IS A CORPORATION:

16 (I) THE CORPORATE NAME, BUSINESS ADDRESS AND  
17 TELEPHONE NUMBER OF THE APPLICANT.

18 (II) THE DATE AND STATE OF INCORPORATION.

19 (III) THE FULL NAMES, TITLES, ADDRESSES, E-MAIL  
20 ADDRESSES AND TELEPHONE NUMBERS OF ITS CORPORATE OFFICERS  
21 AND OF ITS AUTHORIZED AGENT.

22 (IV) PROOF THAT ALL CORPORATE OFFICERS ARE AT LEAST  
23 18 YEARS OF AGE.

24 (V) PROOF THAT THE CORPORATION IS IN GOOD STANDING  
25 UNDER THE LAWS OF THIS COMMONWEALTH.

26 (3) IF THE LICENSE APPLICANT IS A PARTNERSHIP OR LIMITED  
27 LIABILITY COMPANY:

28 (I) THE NAME, BUSINESS ADDRESS OR PRINCIPAL OFFICE  
29 ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT.

30 (II) THE FULL NAMES, ADDRESSES, E-MAIL ADDRESSES AND

1           TELEPHONE NUMBERS OF:

2                   (A) THE GENERAL PARTNERS OF THE PARTNERSHIP.

3                   (B) THE MANAGING MEMBERS OF THE LIMITED

4           LIABILITY COMPANY.

5                   (C) THE MANAGER OF OPERATIONS FOR THE CITY.

6                   (III) THE FULL NAME, ADDRESS, E-MAIL ADDRESS AND

7           TELEPHONE NUMBER OF A PERSON AUTHORIZED TO RECEIVE

8           NOTICES ISSUED UNDER THIS CHAPTER.

9                   (IV) PROOF THAT ALL GENERAL PARTNERS, MANAGERS,

10           MANAGING MEMBERS AND MEMBERS ARE AT LEAST 18 YEARS OF

11           AGE.

12           (C) REQUIRED INFORMATION.--AN APPLICATION FOR A LICENSE OR

13   RENEWAL UNDER THIS CHAPTER MUST INCLUDE THE FOLLOWING:

14                   (1) PROOF THAT THE COMPANY IS REGISTERED WITH THE

15           DEPARTMENT OF STATE TO DO BUSINESS IN THIS COMMONWEALTH.

16                   (2) PROOF THAT THE COMPANY MAINTAINS A REGISTERED AGENT

17           IN THIS COMMONWEALTH.

18                   (3) PROOF THAT THE COMPANY MAINTAINS AN INTERNET WEBSITE

19           THAT INCLUDES THE INFORMATION REQUIRED UNDER SECTION 57A13

20           (RELATING TO INTOXICATING SUBSTANCE POLICY).

21                   (4) PROOF THAT THE TRANSPORTATION NETWORK COMPANY HAS

22           SECURED THE INSURANCE POLICIES REQUIRED UNDER AND OTHERWISE

23           COMPLIED WITH SECTION 57A07 (RELATING TO INSURANCE

24           REQUIREMENTS) IN THE FORM OF A CERTIFICATE OF INSURANCE.

25                   (D) FEE.--AN APPLICANT FOR A TRANSPORTATION NETWORK COMPANY

26           LICENSE SHALL REMIT TO THE AUTHORITY WITH ITS INITIAL

27           TRANSPORTATION NETWORK COMPANY APPLICATION A ONE-TIME

28           APPLICATION FEE OF \$50,000. IF THE APPLICATION IS REJECTED, THE

29           FEE SHALL BE REFUNDED, MINUS A \$2,500 ADMINISTRATIVE PROCESSING

30           FEE.

1 § 57A04. QUALIFICATIONS FOR LICENSURE.

2 (A) GENERAL RULE.--IN ADDITION TO THE LICENSE APPLICATION  
3 REQUIREMENTS LISTED IN SECTION 57A03 (RELATING TO APPLICATION),  
4 AN APPLICANT SEEKING ISSUANCE OR RENEWAL OF A LICENSE UNDER THIS  
5 SECTION MUST DO ALL OF THE FOLLOWING AS A CONDITION OF RECEIPT  
6 AND MAINTENANCE OF A LICENSE:

7 (1) ESTABLISH AND MAINTAIN:

8 (I) AN AGENT FOR SERVICE OF PROCESS LOCATED IN THE  
9 CITY.

10 (II) AN INTERNET WEBSITE THAT PROVIDES A CUSTOMER  
11 SERVICE TELEPHONE NUMBER, E-MAIL ADDRESS OR HYPERLINK TO  
12 CONTACT THE TRANSPORTATION NETWORK COMPANY AND THE  
13 TELEPHONE NUMBER AND E-MAIL ADDRESS OF THE AUTHORITY.

14 (III) RECORDS REQUIRED UNDER THIS CHAPTER. THE  
15 APPLICANT SHALL AGREE TO MAKE ALL RECORDS AVAILABLE FOR  
16 INSPECTION BY THE AUTHORITY IN THE CITY UPON REQUEST  
17 UNDER SECTION 57A18 (RELATING TO RECORDS AND REPORTS) AS  
18 NECESSARY FOR THE AUTHORITY TO INVESTIGATE COMPLAINTS.

19 (2) MAINTAIN ACCURATE RECORDS OF EACH TRANSPORTATION  
20 NETWORK COMPANY DRIVER PROVIDING TRANSPORTATION NETWORK  
21 SERVICES AND THE VEHICLES USED TO PROVIDE THE SERVICE FOR NO  
22 LESS THAN THREE YEARS. RECORDS RETAINED UNDER THIS PARAGRAPH  
23 MUST INCLUDE:

24 (I) PROOF OF VALID PERSONAL AUTOMOBILE INSURANCE.

25 (II) PROOF OF THE INSURANCE REQUIRED BY SECTION  
26 57A07 (RELATING TO INSURANCE REQUIREMENTS).

27 (III) CRIMINAL HISTORY RECORDS CHECKS.

28 (IV) DRIVING RECORD CHECKS.

29 (V) COPIES OF VALID DRIVER'S LICENSES FOR EACH  
30 DRIVER AND VEHICLE REGISTRATION AND PROOF OF VEHICLE

1 INSPECTIONS FOR ALL PERSONAL VEHICLES AFFILIATED WITH A  
2 TRANSPORTATION NETWORK COMPANY.

3 (VI) RECORDS OF CONSUMER COMPLAINTS.

4 (VII) RECORDS OF SUSPENSION OR DISQUALIFICATION OF  
5 DRIVERS.

6 (VIII) RECORDS OF DISCLOSURES REQUIRED TO BE  
7 PROVIDED TO DRIVERS UNDER THIS CHAPTER.

8 (3) MAINTAIN VEHICLE RECORDS, INCLUDING THE MAKE, MODEL  
9 AND LICENSE PLATE NUMBER OF EACH PERSONAL VEHICLE USED BY A  
10 TRANSPORTATION NETWORK COMPANY DRIVER TO PROVIDE  
11 TRANSPORTATION NETWORK SERVICE.

12 (B) ELIGIBILITY REQUIRED.--ELIGIBILITY FOR ISSUANCE OF A  
13 LICENSE UNDER THIS CHAPTER SHALL BE A CONTINUING REQUIREMENT FOR  
14 MAINTAINING SUCH LICENSE.

15 (C) COMPLIANCE.--FOLLOWING ISSUANCE OF AN INITIAL LICENSE  
16 AND TO BE ELIGIBLE FOR RENEWAL OF A LICENSE, AN APPLICANT SHALL  
17 BE IN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL  
18 LAWS.

19 § 57A05. LICENSE ISSUANCE AND APPEAL OF DENIAL.

20 (A) GENERAL RULE.--THE AUTHORITY SHALL GRANT AN APPLICATION  
21 AND ISSUE A LICENSE TO AN APPLICANT THAT MEETS ALL OF THE  
22 REQUIREMENTS OF SECTIONS 57A03 (RELATING TO APPLICATION) AND  
23 57A04 (RELATING TO QUALIFICATIONS FOR LICENSURE).

24 (B) DENIAL.--IF AN APPLICATION FOR THE ISSUANCE OR RENEWAL  
25 OF A LICENSE IS DENIED, THE APPLICANT MAY, WITHIN 10 DAYS OF  
26 NOTICE OF THE DENIAL, FILE A PETITION WITH THE AUTHORITY WHICH  
27 SPECIFICALLY AVERS THAT THE REASON FOR THE DENIAL IS ERRONEOUS,  
28 UNLAWFUL OR OTHERWISE INVALID. THE AUTHORITY SHALL PRESCRIBE  
29 FILING PROCEDURES AND THE FORM FOR THE PETITION.

30 (C) APPEAL HEARING.--THE AUTHORITY SHALL FIX THE TIME AND

1 PLACE FOR A HEARING ON A PROPERLY FILED APPEAL AND SHALL SERVE  
2 NOTICE OF THE APPEAL ON THE PARTIES OF INTEREST.

3 (D) DECISION OF APPEAL.--AFTER A HEARING UNDER SUBSECTION  
4 (C), THE AUTHORITY, OR A DESIGNATED HEARING OFFICER, SHALL ISSUE  
5 A DECISION, WHICH SHALL INCLUDE FINDINGS OF FACT, IN SUFFICIENT  
6 DETAIL TO ENABLE A COURT TO DETERMINE ON APPEAL THE FOLLOWING:

- 7 (1) THE QUESTION PRESENTED BY THE APPEAL; AND  
8 (2) WHETHER PROPER WEIGHT WAS GIVEN TO THE EVIDENCE.

9 (E) HEARING PROCEDURE.--THE AUTHORITY MAY ADOPT HEARING AND  
10 ADMINISTRATIVE PROCEDURES BY REGULATION FOR HEARINGS UNDER  
11 SUBSECTION (C). A PERSON AGGRIEVED BY AN ORDER OF THE AUTHORITY  
12 ENTERED UNDER THIS CHAPTER MAY APPEAL THE ORDER TO THE COURT OF  
13 COMMON PLEAS OF PHILADELPHIA COUNTY. ALL APPEALS SHALL BE  
14 GOVERNED BY 2 PA.C.S. CH. 7 (RELATING TO JUDICIAL REVIEW) AND  
15 CHAPTER 15 OF THE PENNSYLVANIA RULES OF APPELLATE PROCEDURE.

16 (F) THIRD PARTIES PROHIBITED.--NO THIRD PARTY MAY PROTEST OR  
17 OBJECT TO AN APPLICATION FOR A LICENSE.

18 (G) WAITING PERIOD FOLLOWING DENIAL.--AFTER ENTRY OF A  
19 DENIAL OF AN APPEAL, THE APPLICANT SHALL BE INELIGIBLE TO MAKE A  
20 NEW APPLICATION FOR A PERIOD OF SIX MONTHS.

21 (H) OPERATION DURING PENDING APPLICATION.--A TRANSPORTATION  
22 NETWORK COMPANY OPERATING IN THE CITY BEFORE THE EFFECTIVE DATE  
23 OF THIS SECTION MAY CONTINUE OPERATING DURING THE PENDENCY OF AN  
24 APPLICATION UNDER SECTION 57A03 AS LONG AS THE COMPANY FILES AN  
25 APPLICATION WITHIN 45 DAYS OF THE EFFECTIVE DATE OF THIS ACT.

26 (I) APPROVAL REQUIRED FOR LICENSE TRANSFER.--A  
27 TRANSPORTATION NETWORK COMPANY LICENSE IS NONTRANSFERABLE UNLESS  
28 THE TRANSFER IS APPROVED BY THE AUTHORITY. A CHANGE IN CONTROL  
29 IS PERMISSIBLE AS LONG AS THE TRANSPORTATION NETWORK COMPANY  
30 PROVIDES NOTICE TO THE AUTHORITY WITHIN 30 DAYS OF THE CHANGE IN

1 CONTROL.

2 § 57A06. LICENSE ENFORCEMENT.

3 THE AUTHORITY SHALL HAVE THE POWER TO INITIATE A REGULATORY  
4 ENFORCEMENT ACTION AGAINST ANY LICENSEE OR PERSON HOLDING  
5 THEMSELVES OUT TO BE A LICENSEE THROUGH THE PROCESS PROVIDED  
6 UNDER SECTION 5705(A) (RELATING TO CONTESTED COMPLAINTS) AND  
7 REGULATIONS PROMULGATED BY THE AUTHORITY PROVIDING FOR THE FORM  
8 AND PROCESS OF AN ENFORCEMENT ACTION.

9 § 57A06.1. APPEALS GENERALLY.

10 A PERSON AGGRIEVED BY AN ORDER OF THE AUTHORITY ENTERED  
11 PURSUANT TO THIS CHAPTER MAY APPEAL THE ORDER TO THE COURT OF  
12 COMMON PLEAS OF PHILADELPHIA COUNTY. ALL APPEALS SHALL BE  
13 GOVERNED BY 2 PA.C.S. CH. 7 (RELATING TO JUDICIAL REVIEW) AND  
14 CHAPTER 15 OF THE PENNSYLVANIA RULES OF APPELLATE PROCEDURE.

15 § 57A07. INSURANCE REQUIREMENTS.

16 (A) GENERAL RULE.--A TRANSPORTATION NETWORK COMPANY DRIVER  
17 OR TRANSPORTATION NETWORK COMPANY ON THE DRIVER'S BEHALF SHALL  
18 MAINTAIN PRIMARY AUTOMOBILE INSURANCE THAT RECOGNIZES THAT THE  
19 DRIVER IS A TRANSPORTATION NETWORK COMPANY DRIVER OR OTHERWISE  
20 USES A VEHICLE TO TRANSPORT PASSENGERS FOR COMPENSATION.

21 (B) WHILE NOT ENGAGED WITH A PREARRANGED RIDE.--THE  
22 FOLLOWING AUTOMOBILE INSURANCE REQUIREMENTS SHALL APPLY TO THE  
23 TRANSPORTATION NETWORK COMPANY DRIVER OR THE TRANSPORTATION  
24 NETWORK COMPANY ON THE DRIVER'S BEHALF WHILE A PARTICIPATING  
25 TRANSPORTATION NETWORK COMPANY DRIVER IS LOGGED ONTO THE DIGITAL  
26 NETWORK AND IS AVAILABLE TO RECEIVE TRANSPORTATION REQUESTS BUT  
27 IS NOT ENGAGED IN A PREARRANGED RIDE:

28 (1) PRIMARY AUTOMOBILE LIABILITY INSURANCE IN THE AMOUNT  
29 OF AT LEAST \$50,000 FOR DEATH AND BODILY INJURY PER PERSON,  
30 \$100,000 FOR DEATH AND BODILY INJURY PER INCIDENT AND \$25,000

1 FOR PROPERTY DAMAGE.

2 (2) FIRST-PARTY MEDICAL BENEFITS AS REQUIRED UNDER 75 <--  
3 PA.C.S. § 1711 (RELATING TO REQUIRED BENEFITS), INCLUDING  
4 \$25,000 FOR PEDESTRIANS AND \$5,000 FOR A DRIVER.

5 (C) WHILE ENGAGED WITH A PREARRANGED RIDE.--THE FOLLOWING  
6 AUTOMOBILE INSURANCE REQUIREMENTS SHALL APPLY WHILE A  
7 TRANSPORTATION NETWORK COMPANY DRIVER IS ENGAGED IN A  
8 PREARRANGED RIDE:

9 (1) PRIMARY AUTOMOBILE LIABILITY INSURANCE THAT PROVIDES  
10 AT LEAST \$500,000 FOR DEATH, BODILY INJURY AND PROPERTY  
11 DAMAGE.

12 (2) FIRST-PARTY MEDICAL BENEFITS AS REQUIRED BY 75  
13 PA.C.S. § 1711 (RELATING TO REQUIRED BENEFITS) ON A PER-  
14 INCIDENT BASIS FOR INCIDENTS INVOLVING A TRANSPORTATION  
15 NETWORK COMPANY DRIVER'S OPERATION OF A PERSONAL VEHICLE  
16 WHILE ENGAGED IN A PREARRANGED RIDE, INCLUDING \$25,000 FOR  
17 PASSENGERS AND PEDESTRIANS AND \$5,000 FOR A DRIVER.

18 (D) SATISFACTION OF COVERAGE REQUIREMENTS.--THE COVERAGE  
19 REQUIREMENTS UNDER THIS SECTION MAY BE SATISFIED BY ANY OF THE  
20 FOLLOWING:

21 (1) AUTOMOBILE INSURANCE MAINTAINED BY THE  
22 TRANSPORTATION NETWORK COMPANY DRIVER;

23 (2) AUTOMOBILE INSURANCE MAINTAINED BY THE  
24 TRANSPORTATION NETWORK COMPANY; OR

25 (3) ANY COMBINATION OF PARAGRAPHS (1) AND (2).

26 (E) LAPSED OR INADEQUATE INSURANCE.--IF THE INSURANCE  
27 REQUIRED UNDER SUBSECTION (B) OR (C) IS MAINTAINED BY A DRIVER <--  
28 AND HAS LAPSED OR DOES NOT PROVIDE THE REQUIRED COVERAGE,  
29 INSURANCE MAINTAINED BY A TRANSPORTATION NETWORK COMPANY SHALL  
30 PROVIDE THE COVERAGE REQUIRED BY THIS SECTION BEGINNING WITH THE

1 FIRST DOLLAR OF A CLAIM, AND THE TRANSPORTATION NETWORK  
2 COMPANY'S INSURER SHALL HAVE THE DUTY TO DEFEND SUCH CLAIM.

3 (F) PRIMARY INSURANCE.--COVERAGE UNDER AN AUTOMOBILE  
4 INSURANCE POLICY MAINTAINED UNDER THIS SECTION SHALL BE PRIMARY  
5 AND NOT BE DEPENDENT ON A PERSONAL AUTOMOBILE INSURER FIRST  
6 DENYING A CLAIM NOR SHALL A PERSONAL AUTOMOBILE INSURANCE POLICY  
7 BE REQUIRED TO FIRST DENY A CLAIM.

8 (G) CERTIFICATE OF INSURANCE.--A CERTIFICATE OF INSURANCE  
9 MUST BE FILED BY THE INSURANCE CARRIER EVIDENCING THE INSURANCE  
10 REQUIRED UNDER THIS SECTION AND MUST BE IN A FORM PROMULGATED BY  
11 THE AUTHORITY.

12 (H) DEPOSIT OF CERTIFICATE OF INSURANCE.--INSURANCE REQUIRED  
13 UNDER THIS SUBSECTION SHALL BE PLACED WITH EITHER AN INSURER  
14 THAT HAS OBTAINED A CERTIFICATE OF AUTHORITY UNDER SECTION 208  
15 OF THE ACT OF MAY 17, 1921 (P.L.789, NO.285), KNOWN AS THE  
16 INSURANCE DEPARTMENT ACT OF 1921, OR A SURPLUS LINES INSURER  
17 ELIGIBLE UNDER SECTION 1605 OF THE ACT OF MAY 17, 1921 (P.L.682,  
18 NO.284), KNOWN AS THE INSURANCE COMPANY LAW OF 1921.

19 (I) FINANCIAL RESPONSIBILITY REQUIREMENT.--INSURANCE  
20 SATISFYING THE REQUIREMENTS OF THIS SECTION SHALL BE DEEMED TO  
21 SATISFY THE FINANCIAL RESPONSIBILITY REQUIREMENT FOR A MOTOR  
22 VEHICLE UNDER 75 PA.C.S. CH. 17 (RELATING TO FINANCIAL  
23 RESPONSIBILITY).

24 (J) PROOF OF INSURANCE COVERAGE REQUIRED.--A TRANSPORTATION  
25 NETWORK COMPANY DRIVER SHALL CARRY PROOF OF COVERAGE SATISFYING  
26 SUBSECTIONS (B) AND (C) WHEN THE DRIVER USES A VEHICLE IN  
27 CONNECTION WITH A DIGITAL NETWORK. IN THE EVENT OF AN ACCIDENT,  
28 A TRANSPORTATION NETWORK COMPANY DRIVER SHALL PROVIDE THE PROOF  
29 OF INSURANCE COVERAGE TO THE DIRECTLY INTERESTED PARTIES,  
30 AUTOMOBILE INSURERS AND INVESTIGATING POLICE OFFICERS UNDER 75

1 PA.C.S. § 1786 (RELATING TO REQUIRED FINANCIAL RESPONSIBILITY).  
2 A TRANSPORTATION NETWORK COMPANY DRIVER SHALL DISCLOSE TO  
3 DIRECTLY INTERESTED PARTIES, AUTOMOBILE INSURERS AND  
4 INVESTIGATING POLICE OFFICERS WHETHER THE DRIVER WAS LOGGED ONTO  
5 THE DIGITAL NETWORK OR ON A PREARRANGED RIDE AT THE TIME OF AN  
6 ACCIDENT.

7 (K) RESPONSIBILITY OF TRANSPORTATION NETWORK COMPANY.--THE  
8 TRANSPORTATION NETWORK COMPANY SHALL BE RESPONSIBLE TO ENSURE  
9 THAT AUTOMOBILE INSURANCE COVERAGE REQUIRED TO BE CARRIED BY THE  
10 TRANSPORTATION NETWORK COMPANY DRIVER UNDER THIS SECTION IS IN  
11 FORCE PRIOR TO PERMITTING A TRANSPORTATION NETWORK COMPANY  
12 DRIVER TO PROVIDE TRANSPORTATION NETWORK SERVICE.

13 (L) AUTOMOBILE INSURANCE PROVISIONS.--THE FOLLOWING SHALL  
14 APPLY:

15 (1) INSURERS THAT WRITE AUTOMOBILE INSURANCE IN THIS  
16 COMMONWEALTH MAY EXCLUDE ANY AND ALL COVERAGE AFFORDED UNDER  
17 THE POLICY ISSUED TO AN OWNER OR OPERATOR OF A PERSONAL  
18 VEHICLE FOR ANY LOSS OR INJURY THAT OCCURS WHILE A DRIVER IS  
19 LOGGED ONTO A DIGITAL NETWORK OR WHILE A DRIVER PROVIDES A  
20 PREARRANGED RIDE. THE RIGHT TO EXCLUDE ALL COVERAGE MAY APPLY  
21 TO ANY COVERAGE INCLUDED IN AN AUTOMOBILE INSURANCE POLICY,  
22 INCLUDING, BUT NOT LIMITED TO:

23 (I) LIABILITY COVERAGE FOR BODILY INJURY AND  
24 PROPERTY DAMAGE;

25 (II) UNINSURED AND UNDERINSURED MOTORIST COVERAGE;

26 (III) MEDICAL PAYMENTS COVERAGE;

27 (IV) COMPREHENSIVE PHYSICAL DAMAGE COVERAGE;

28 (V) COLLISION PHYSICAL DAMAGE COVERAGE; AND

29 (VI) FIRST-PARTY MEDICAL BENEFITS REQUIRED UNDER  
30 SUBSECTION (B).

1           (2) NOTWITHSTANDING ANY REQUIREMENT UNDER 75 PA.C.S. CH.  
2 17, EXCLUSIONS UNDER SUBSECTION (B) SHALL APPLY. NOTHING IN  
3 THIS SECTION SHALL REQUIRE THAT A PERSONAL AUTOMOBILE  
4 INSURANCE POLICY PROVIDE COVERAGE WHILE THE DRIVER IS LOGGED  
5 ON TO A DIGITAL NETWORK, WHILE THE DRIVER IS ENGAGED IN A  
6 PREARRANGED RIDE OR WHILE THE DRIVER OTHERWISE USES A VEHICLE  
7 TO TRANSPORT PASSENGERS FOR COMPENSATION. NOTHING IN THIS  
8 SUBSECTION SHALL BE DEEMED TO PRECLUDE AN INSURER FROM  
9 PROVIDING COVERAGE FOR THE PERSONAL VEHICLE IF THE INSURER  
10 CHOOSES TO DO SO BY CONTRACT OR ENDORSEMENT.

11           (3) AUTOMOBILE INSURERS THAT EXCLUDE THE COVERAGE  
12 DESCRIBED IN PARAGRAPH (1) SHALL HAVE NO DUTY TO DEFEND OR  
13 INDEMNIFY ANY CLAIM EXPRESSLY EXCLUDED UNDER THE COVERAGE.  
14 NOTHING IN THIS SECTION SHALL BE DEEMED TO INVALIDATE OR  
15 LIMIT AN EXCLUSION CONTAINED IN A PERSONAL INSURANCE POLICY,  
16 INCLUDING ANY POLICY IN USE OR APPROVED FOR USE IN THIS  
17 COMMONWEALTH PRIOR TO THE ENACTMENT OF THIS SECTION, THAT  
18 EXCLUDES COVERAGE FOR VEHICLES USED TO CARRY PERSONS OR  
19 PROPERTY FOR A CHARGE OR AVAILABLE FOR HIRE BY THE PUBLIC.

20           (4) AN AUTOMOBILE INSURER THAT DEFENDS OR INDEMNIFIES A  
21 CLAIM AGAINST A DRIVER THAT IS EXCLUDED UNDER THE TERMS OF  
22 ITS POLICY SHALL HAVE A RIGHT OF CONTRIBUTION AGAINST OTHER  
23 INSURERS THAT PROVIDE AUTOMOBILE INSURANCE TO THE SAME DRIVER  
24 IN SATISFACTION OF THE COVERAGE REQUIREMENTS OF SUBSECTION  
25 (A) AT THE TIME OF LOSS.

26           (5) IN A CLAIMS COVERAGE INVESTIGATION, TRANSPORTATION  
27 NETWORK COMPANIES AND ANY INSURER POTENTIALLY PROVIDING  
28 COVERAGE UNDER SUBSECTION ~~(A)~~ THIS SECTION SHALL COOPERATE TO <--  
29 FACILITATE THE EXCHANGE OF RELEVANT INFORMATION WITH DIRECTLY  
30 INVOLVED PARTIES AND ANY INSURER OF THE TRANSPORTATION

1 NETWORK COMPANY DRIVER, INCLUDING THE PRECISE TIMES THAT A  
2 TRANSPORTATION NETWORK COMPANY DRIVER LOGGED ON AND LOGGED  
3 OFF OF THE DIGITAL NETWORK IN THE 12-HOUR PERIOD IMMEDIATELY  
4 PRECEDING AND IN THE 12-HOUR PERIOD IMMEDIATELY FOLLOWING THE  
5 ACCIDENT AND DISCLOSE A CLEAR DESCRIPTION OF THE COVERAGE,  
6 EXCLUSIONS AND LIMITS PROVIDED UNDER ANY AUTOMOBILE INSURANCE  
7 MAINTAINED UNDER ~~SUBSECTION (A)~~ THIS SECTION. <--

8 (M) WAIVER OF LIABILITY.--THE FOLLOWING SHALL APPLY:

9 (1) A TRANSPORTATION NETWORK COMPANY OR TRANSPORTATION  
10 NETWORK COMPANY DRIVER MAY NOT REQUEST OR REQUIRE A PASSENGER  
11 TO SIGN A WAIVER OF POTENTIAL LIABILITY FOR A LOSS OF  
12 PERSONAL PROPERTY OR INJURY.

13 (2) A TRANSPORTATION NETWORK COMPANY MAY NOT REQUEST OR  
14 REQUIRE A TRANSPORTATION NETWORK COMPANY DRIVER TO SIGN A  
15 WAIVER OF POTENTIAL LIABILITY FOR A LOSS OF PERSONAL PROPERTY  
16 OR INJURY AS A CONDITION OF ENTERING INTO A LEASE AGREEMENT.

17 (3) FOR THE PURPOSES OF THIS SUBSECTION, SIGNING A  
18 WAIVER SHALL INCLUDE REQUIRING A PROSPECTIVE CUSTOMER TO  
19 AGREE TO THE TERMS AND CONDITIONS REQUIRED TO DOWNLOAD A  
20 DIGITAL APPLICATION AS A CONDITION FOR OBTAINING  
21 TRANSPORTATION NETWORK SERVICES.

22 (N) DISCLOSURES.--THE TRANSPORTATION NETWORK COMPANY SHALL  
23 PROVIDE THE FOLLOWING DISCLOSURES:

24 (1) INSURANCE COVERAGE, INCLUDING THE TYPES OF COVERAGE  
25 AND THE LIMITS FOR EACH COVERAGE THAT THE TRANSPORTATION  
26 NETWORK COMPANY PROVIDES WHILE THE TRANSPORTATION NETWORK  
27 COMPANY DRIVER USES A VEHICLE IN CONNECTION WITH A DIGITAL  
28 NETWORK.

29 (2) NOTICE THAT THE TERMS OF THE TRANSPORTATION NETWORK  
30 COMPANY DRIVER'S OWN AUTOMOBILE INSURANCE POLICY MIGHT NOT

1 PROVIDE ANY COVERAGE WHILE THE DRIVER IS LOGGED ON TO THE  
2 DIGITAL NETWORK AND AVAILABLE TO RECEIVE TRANSPORTATION  
3 REQUESTS OR IS ENGAGED IN A PREARRANGED RIDE.

4 (3) IF NOTICE THAT IF A TRANSPORTATION NETWORK COMPANY <--  
5 DRIVER DOES NOT HAVE THE TYPE OF POLICY REQUIRED BY  
6 SUBSECTION (A), NOTICE THAT THIS SECTION, THE TRANSPORTATION <--  
7 NETWORK COMPANY WILL PROVIDE ALL REQUIRED INSURANCE.

8 (4) THE ACCIDENT PROTOCOL REQUIRED UNDER SECTION  
9 SUBSECTION (J).

10 (5) NOTICE THAT THE DRIVER MUST NOTIFY THE FOLLOWING:

11 (I) THE DRIVER'S AUTO INSURANCE COMPANY OR INSURANCE  
12 AGENT THAT THE DRIVER WILL BE USING THE VEHICLE TO  
13 PROVIDE SERVICES UNDER THIS CHAPTER.

14 (II) IF THE DRIVER WILL NOT BE USING A VEHICLE OWNED  
15 AND INSURED BY THE DRIVER, THE DISCLOSURES UNDER THIS  
16 SECTION SHALL BE PROVIDED TO THE POLICYHOLDER AND TO THE  
17 OWNER OF THE VEHICLE.

18 (O) FORM OF DISCLOSURES.--A DISCLOSURE UNDER SUBSECTION (N)  
19 SHALL BE PROVIDED IN WRITING TO ALL TRANSPORTATION NETWORK  
20 COMPANY DRIVERS PRIOR TO THE DESIGNATION OF AN INDIVIDUAL AS A  
21 TRANSPORTATION NETWORK COMPANY DRIVER. TRANSPORTATION NETWORK  
22 COMPANIES SHALL RETAIN WRITTEN OR ELECTRONIC VERIFICATION  
23 RECORDS OF THE RECEIPT OF DISCLOSURES REQUIRED UNDER THIS  
24 SECTION BY THE TRANSPORTATION NETWORK COMPANY DRIVER.

25 (P) LIENHOLDER AND LESSOR REQUIREMENTS.-- <--

26 (1) THE FOLLOWING SHALL APPLY:

27 (I) A TRANSPORTATION NETWORK COMPANY SHALL DISCLOSE  
28 THE NOTICE UNDER THIS SUBPARAGRAPH PROMINENTLY AND WITH A  
29 SEPARATE ACKNOWLEDGMENT OF ACCEPTANCE TO EACH PROSPECTIVE  
30 TRANSPORTATION NETWORK COMPANY DRIVER IN THE

1 TRANSPORTATION NETWORK COMPANY'S WRITTEN TERMS OF SERVICE  
2 FOR DRIVERS. THE DISCLOSURE SHALL BE PROVIDED BEFORE A  
3 DRIVER IS ALLOWED TO OFFER PREARRANGED RIDES ON A  
4 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK. THE  
5 NOTICE SHALL BE AS FOLLOWS:

6 [NAME OF TRANSPORTATION NETWORK COMPANY] WILL PROVIDE  
7 YOU WITH A NOTICE EXPLAINING WHETHER IT PROVIDES  
8 INSURANCE TO REPAIR YOUR PERSONAL VEHICLE IF YOU HAVE  
9 AN ACCIDENT WHEN USING YOUR VEHICLE IN A  
10 TRANSPORTATION NETWORK. IF [NAME OF TRANSPORTATION  
11 NETWORK COMPANY] DOES NOT PROVIDE COVERAGE FOR DAMAGE  
12 TO YOUR CAR, YOUR PERSONAL AUTOMOBILE INSURANCE  
13 POLICY MIGHT NOT PROVIDE THE COVERAGE AND YOU MAY BE  
14 REQUIRED TO PAY ALL COSTS TO REPAIR THE VEHICLE  
15 YOURSELF IN THE EVENT OF AN ACCIDENT UNLESS YOU  
16 PURCHASE EXTRA INSURANCE. IF YOU FINANCED THE  
17 PURCHASE OF THE VEHICLE OR LEASE THE VEHICLE, YOU  
18 MUST NOTIFY YOUR LENDER OR LESSOR THAT YOU WILL USE  
19 YOUR VEHICLE TO PROVIDE TRANSPORTATION NETWORK  
20 SERVICE. YOUR LENDER OR LESSOR MAY REQUIRE YOU TO  
21 PURCHASE EXTRA INSURANCE COVERAGE OR, IF YOU DO NOT  
22 DO SO, MAY PURCHASE INSURANCE ON YOUR BEHALF AND BILL  
23 YOU FOR THE COSTS OF THE POLICY. THE FAILURE TO  
24 NOTIFY A LENDER OR LESSOR OR TO HAVE INSURANCE TO  
25 COVER THE COST OF DAMAGE TO THE VEHICLE MAY CAUSE  
26 YOUR VEHICLE TO BE REPOSSESSED OR YOUR LEASE TO BE  
27 REVOKED. IF YOU HAVE QUESTIONS ABOUT THIS NOTICE, YOU  
28 SHOULD CONTACT YOUR INSURANCE AGENT, YOUR LENDER OR  
29 LESSOR OR THE PENNSYLVANIA INSURANCE DEPARTMENT.

30 (II) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE

1 THE NOTICE REQUIRED UNDER SUBPARAGRAPH (I) UPON ANY  
2 SUBSEQUENT MATERIAL REDUCTION IN INSURANCE COVERAGE BY  
3 THE COMPANY. FOR PURPOSES OF THIS SUBPARAGRAPH, "MATERIAL  
4 REDUCTION IN INSURANCE COVERAGE" SHALL NOT INCLUDE THE  
5 REPLACEMENT OF INSURANCE COVERAGE WITH SUBSTANTIALLY  
6 SIMILAR INSURANCE COVERAGE FROM A DIFFERENT INSURER BY A  
7 TRANSPORTATION NETWORK COMPANY.

8 (III) A TRANSPORTATION NETWORK COMPANY SHALL NOTIFY  
9 DRIVERS IN WRITING WHETHER THE TRANSPORTATION NETWORK  
10 COMPANY IS PROVIDING COMPREHENSIVE AND COLLISION COVERAGE  
11 DURING SERVICE.

12 (2) IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES  
13 A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE OR  
14 COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL  
15 CAUSE THE TRANSPORTATION NETWORK COMPANY'S INSURER TO ISSUE  
16 THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR  
17 JOINTLY TO THE OWNER OF THE VEHICLE AND THE PRIMARY  
18 LIENHOLDER OR LESSOR.

19 (3) IF A DRIVER OF A PERSONAL VEHICLE USED IN  
20 TRANSPORTATION NETWORK SERVICE THAT IS SUBJECT TO A LIEN OR  
21 LEASE FAILS TO MAINTAIN COMPREHENSIVE OR COLLISION DAMAGE  
22 COVERAGE REQUIRED BY THE LIENHOLDER OR LESSOR OR TO SHOW  
23 EVIDENCE TO THE LIENHOLDER OR LESSOR OF THE COVERAGE UPON  
24 REASONABLE REQUEST, THE LIENHOLDER OR LESSOR MAY OBTAIN THE  
25 COVERAGE AT THE EXPENSE OF THE DRIVER WITHOUT PRIOR NOTICE TO  
26 THE DRIVER.

27 § 57A08. VEHICLE OWNERSHIP AND STANDARDS.

28 (A) GENERAL RULE.--IN ADDITION TO ALL OTHER LEGAL  
29 REQUIREMENTS, IT SHALL BE UNLAWFUL FOR ANY PERSON TO OPERATE OR  
30 CAUSE TO BE OPERATED ANY VEHICLE TO PROVIDE TRANSPORTATION

1 NETWORK SERVICE UNLESS SUCH VEHICLE:

2 (1) HAS A MANUFACTURER'S RATED SEATING CAPACITY OF LESS  
3 THAN 10 PERSONS, INCLUDING THE TRANSPORTATION NETWORK COMPANY  
4 DRIVER;

5 (2) HAS AT LEAST FOUR DOORS AND MEETS FEDERAL MOTOR  
6 VEHICLE SAFETY STANDARDS FOR VEHICLES OF ITS SIZE, TYPE AND  
7 PROPOSED USE;

8 (3) IS A COUPE, SEDAN OR LIGHT-DUTY VEHICLE, INCLUDING A  
9 VAN, MINIVAN, SPORT UTILITY VEHICLE, PICKUP TRUCK, HATCHBACK  
10 OR CONVERTIBLE;

11 (4) HAS NOT BEEN ISSUED THE TITLE CLASS OF "SALVAGE,"  
12 "REBUILT," "JUNK," "TOTAL LOSS" OR ANY EQUIVALENT  
13 CLASSIFICATION; AND

14 (5) IS NOT OLDER THAN 10 MODEL YEARS, OR 12 MODEL YEARS  
15 IF THE VEHICLE IS AN ALTERNATIVE FUEL VEHICLE, AS DEFINED IN  
16 SECTION 2 OF THE ACT OF NOVEMBER 29, 2004 (P.L.1376, NO.178),  
17 KNOWN AS THE ALTERNATIVE FUELS INCENTIVE ACT, AND HAS BEEN  
18 DRIVEN NO MORE THAN 350,000 MILES. THE AUTHORITY MAY INCREASE  
19 THE AGE OR MILEAGE LIMITS SET FORTH IN THIS PARAGRAPH BY  
20 REGULATION OR ORDER.

21 (B) PERSONAL USE PROHIBITED.--NO VEHICLE LICENSED AS A TAXI  
22 OR LIMOUSINE WITHIN THIS COMMONWEALTH SHALL BE OPERATED AS A  
23 PERSONAL VEHICLE BY A DRIVER AFFILIATED WITH A TRANSPORTATION  
24 NETWORK COMPANY. NOTHING PROVIDED IN THIS CHAPTER SHALL BE  
25 CONSTRUED TO PROHIBIT OR LIMIT THE UTILIZATION OF AN INTERNET-  
26 ENABLED APPLICATION OR DIGITAL PLATFORM FOR THE PROVISION OF  
27 TAXICAB OR LIMOUSINE SERVICE OR OTHER PUBLIC TRANSPORTATION  
28 VEHICLES PURSUANT TO CHAPTER 57 (RELATING TO TAXICABS AND  
29 LIMOUSINES IN FIRST CLASS CITIES).

30 (C) VIOLATION.--IT SHALL BE A VIOLATION OF THIS CHAPTER FOR

1 A TRANSPORTATION NETWORK COMPANY TO KNOWINGLY PERMIT A  
2 TRANSPORTATION NETWORK COMPANY DRIVER TO USE A PERSONAL VEHICLE  
3 TO PROVIDE TRANSPORTATION NETWORK SERVICE THAT DOES NOT MEET THE  
4 REQUIREMENTS OF THIS SECTION.

5 § 57A09. VEHICLE INSPECTIONS.

6 (A) PERSONAL VEHICLE.--A TRANSPORTATION NETWORK COMPANY  
7 SHALL NOT ALLOW ANY VEHICLE REGISTERED IN THIS COMMONWEALTH TO  
8 BE USED AS A PERSONAL VEHICLE UNLESS THE VEHICLE IS INSPECTED  
9 ACCORDING TO 75 PA.C.S. CH. 47 (RELATING TO INSPECTION OF  
10 VEHICLES) AND HAS PASSED THE INSPECTION. A VALID CERTIFICATE OF  
11 INSPECTION SHALL BE MAINTAINED IN ALL VEHICLES. FOR VEHICLES  
12 REGISTERED OUTSIDE OF THIS COMMONWEALTH, INSPECTION MUST BE  
13 CONDUCTED AT A FACILITY APPROVED BY THE DEPARTMENT OF  
14 TRANSPORTATION OR AN INSPECTION STATION AUTHORIZED BY THE  
15 GOVERNMENT OF THE JURISDICTION IN WHICH THE VEHICLE IS  
16 REGISTERED AND MUST SATISFY THE VEHICLE INSPECTION STANDARDS OF  
17 THAT JURISDICTION.

18 (B) ADDITIONAL INSPECTION REQUIREMENT.--

19 (1) NO MORE THAN ONCE EVERY FOUR MONTHS, THE AUTHORITY  
20 MAY REQUEST THAT A TRANSPORTATION NETWORK COMPANY PROVIDE THE  
21 AUTHORITY WITH THE LAST FOUR DIGITS OF THE LICENSE PLATE  
22 NUMBER, STATE OF LICENSE PLATE, MAKE AND MODEL OF THE  
23 CORRESPONDING VEHICLE AND EXPIRATION DATE OF THEIR THE <--  
24 CURRENT VEHICLE INSPECTION FOR THE FOLLOWING NUMBER OF  
25 RANDOMLY SELECTED VEHICLES:

26 (I) UP TO 500 VEHICLES FOR A CLASS A TRANSPORTATION  
27 NETWORK COMPANY;

28 (II) UP TO 250 VEHICLES FOR A CLASS B TRANSPORTATION  
29 NETWORK COMPANY; AND

30 (III) UP TO 100 VEHICLES FOR A CLASS C

1 TRANSPORTATION NETWORK COMPANY.

2 (1.1) THE LIST OF VEHICLES THAT A TRANSPORTATION NETWORK  
3 COMPANY PROVIDES UNDER PARAGRAPH (1) TO THE AUTHORITY SHALL  
4 BE COMPRISED AS FOLLOWS:

5 (I) NINETY PERCENT OF THE VEHICLES ON THE LIST SHALL  
6 CONSIST OF VEHICLES OPERATED BY TRANSPORTATION NETWORK  
7 COMPANY DRIVERS WHO HAVE COMPLETED AT LEAST 100  
8 PREARRANGED RIDES IN THE PRECEDING SIX-WEEK PERIOD.

9 (II) FIVE PERCENT OF THE VEHICLES ON THE LIST SHALL  
10 CONSIST OF VEHICLES OPERATED BY TRANSPORTATION NETWORK  
11 COMPANY DRIVERS WHO HAVE COMPLETED AT LEAST 20  
12 PREARRANGED RIDES IN THE PRECEDING SIX-WEEK PERIOD AND  
13 WHO LIVE IN THE CITY OR WITHIN A 15-MILE RADIUS OF AN  
14 INSPECTION STATION OPERATED BY THE AUTHORITY.

15 (III) FIVE PERCENT OF THE VEHICLES ON THE LIST SHALL  
16 CONSIST OF VEHICLES OPERATED BY TRANSPORTATION NETWORK  
17 COMPANY DRIVERS WHO HAVE COMPLETED AT LEAST 10  
18 PREARRANGED IN THE PRECEDING SIX-WEEK PERIOD AND WHO LIVE  
19 IN THE CITY OR WITHIN A 15-MILE RADIUS OF AN INSPECTION  
20 STATION OPERATED BY THE AUTHORITY.

21 (2) A VEHICLE SHALL NOT BE SUBJECT TO THE RANDOM  
22 INSPECTION PROCESS UNDER THIS SUBSECTION IF IT PASSED AN  
23 INSPECTION IN ACCORDANCE WITH SUBSECTION ~~(B)~~ (A) IN THE  
24 PRECEDING 180-DAY PERIOD.

25 (3) THE FOLLOWING SHALL APPLY:

26 (I) NO MORE THAN ONCE EVERY 30 DAYS, THE AUTHORITY  
27 MAY SELECT FOR RANDOM INSPECTION A SUBSET OF VEHICLES  
28 FROM THE LIST PROVIDED UNDER PARAGRAPH (1) (II). THE  
29 AUTHORITY SHALL NOTIFY THE TRANSPORTATION NETWORK COMPANY  
30 THAT THE DRIVERS ASSOCIATED WITH THOSE VEHICLES MUST

<--

1 SUBMIT THEIR VEHICLE FOR AN INSPECTION CONDUCTED BY THE  
2 AUTHORITY TO VERIFY THAT THE VEHICLE SATISFIES THE  
3 MECHANICAL INSPECTION REQUIRED UNDER 75 PA.C.S. CH. 47  
4 AND VEHICLE QUALITY STANDARDS UNDER SUBPARAGRAPH (III).  
5 THE INSPECTION SHALL OCCUR NO MORE THAN 20 DAYS FROM THE  
6 DATE OF NOTICE TO THE TRANSPORTATION NETWORK COMPANY IF  
7 THE AUTHORITY PROVIDES SELECTED DRIVERS WITH A REASONABLE  
8 OPPORTUNITY TO SCHEDULE INSPECTIONS IN ADVANCE.

9 (II) THE AUTHORITY MAY SELECT THE FOLLOWING NUMBER  
10 OF VEHICLES FOR INSPECTION UNDER SUBPARAGRAPH (I):

11 (A) CLASS A TRANSPORTATION NETWORK COMPANY: UP  
12 TO 35 VEHICLES EVERY 30 DAYS.

13 (B) CLASS B TRANSPORTATION NETWORK COMPANY: UP  
14 TO 25 VEHICLES EVERY 30 DAYS.

15 (C) CLASS C TRANSPORTATION NETWORK COMPANY: UP  
16 TO 15 VEHICLES EVERY 30 DAYS.

17 (III) THE VEHICLE QUALITY INSPECTION AUTHORIZED  
18 UNDER SUBPARAGRAPH (I) SHALL VERIFY THE FOLLOWING:

19 (A) NO DENTS LARGER THAN 12 INCHES ACROSS.

20 (B) NO LOOSE BODY PANELS OR BUMPERS.

21 (C) EXTERIOR DOOR HANDLES ARE FUNCTIONAL.

22 (D) NO VANDALISM OR SPRAY GRAFFITI ON THE  
23 EXTERIOR OF THE VEHICLE.

24 (E) THE INTERIOR IS GENERALLY CLEAN.

25 (F) ALL SEAT BELTS ARE WORKING.

26 (G) THE DOOR SEALS ARE INTACT.

27 (H) NO TEARS IN THE UPHOLSTERY THAT EXCEED 3  
28 INCHES.

29 (I) THE WINDOWS ARE OPERATIONAL.

30 (J) INTERIOR DOOR HANDLES ARE OPERATIONAL.

1                   (K) INTERIOR LIGHTS ARE OPERATIONAL.

2                   (L) THERE ARE FOUR DOORS AND THE DOORS ARE  
3                   PROPERLY ALIGNED.

4                   (M) THE INTERIOR DOOR LOCKS ARE FUNCTIONAL.

5                   (N) A FUNCTIONING AIR CONDITIONING SYSTEM  
6                   CAPABLE OF KEEPING THE INTERIOR OF THE VEHICLE  
7                   BETWEEN 60 AND 78 DEGREES.

8                   (4) IN ACCORDANCE WITH 75 PA.C.S. § 4727 (RELATING TO  
9                   ISSUANCE OF CERTIFICATE OF INSPECTION), THE AUTHORITY MAY  
10                   ISSUE A CERTIFICATE OF INSPECTION TO ANY ELIGIBLE VEHICLE  
11                   THAT SATISFIES THE MECHANICAL INSPECTION REQUIRED UNDER 75  
12                   PA.C.S. CH. 47 AND ANY OTHER REQUIRED STATE INSPECTION,  
13                   INCLUDING EMISSIONS TESTING. THE AUTHORITY MAY CHARGE  
14                   STANDARD FEES FOR ISSUANCE OF A CERTIFICATE OF INSPECTION.

15                   (5) IF THE AUTHORITY DETERMINES THAT A VEHICLE INSPECTED  
16                   UNDER PARAGRAPH (3) (I) DOES NOT SATISFY 75 PA.C.S. CH. 47 AND  
17                   THE VEHICLE QUALITY INSPECTION AUTHORIZED UNDER PARAGRAPH (3)  
18                   (III), THE AUTHORITY MAY PROHIBIT THE VEHICLE FROM FURTHER  
19                   TRANSPORTATION NETWORK SERVICE IN THE CITY AND DIRECT ANY  
20                   TRANSPORTATION NETWORK COMPANY TO DISQUALIFY THE VEHICLE FROM  
21                   BEING USED TO PROVIDE TRANSPORTATION NETWORK SERVICE IN THE  
22                   CITY UNTIL THE INDIVIDUAL HAS SATISFIED THE AUTHORITY THAT  
23                   THE VEHICLE COMPLIES WITH 75 PA.C.S. CH. 47 AND THE VEHICLE  
24                   QUALITY INSPECTION UNDER PARAGRAPH (3) (III). THE AUTHORITY  
25                   SHALL PROVIDE A CLEAR EXPLANATION TO THE DRIVER OF THE  
26                   COMPONENTS THAT CAUSED THE VEHICLE TO FAIL THE INSPECTION AND  
27                   AN OPPORTUNITY FOR A REINSPECTION WITHIN A REASONABLE PERIOD  
28                   OF TIME.

29                   (6) A DRIVER WHO FAILS TO UNDERGO A VEHICLE INSPECTION  
30                   WITHIN THE TIME PERIOD REQUIRED BY THIS SUBSECTION SHALL BE

1 PROHIBITED FROM OPERATING AS A DRIVER IN THE CITY UNTIL THEY  
2 HAVE COMPLETED THE VEHICLE INSPECTION.

3 (7) THE FOLLOWING SHALL APPLY:

4 (I) A VEHICLE THAT WAS DESIGNATED FOR INSPECTION IN  
5 ACCORDANCE WITH PARAGRAPH (1) (I) AND THAT PASSES THE  
6 INSPECTION AUTHORIZED UNDER THIS SUBSECTION SHALL NOT BE  
7 SUBJECT TO ANOTHER INSPECTION UNDER THIS SUBSECTION FOR  
8 AT LEAST TWO YEARS FROM THE DATE OF COMPLETION.

9 (II) A VEHICLE THAT WAS DESIGNATED FOR INSPECTION IN  
10 ACCORDANCE WITH PARAGRAPH (1) (II) AND (III) AND THAT  
11 PASSES THE INSPECTION AUTHORIZED UNDER THIS SUBSECTION  
12 SHALL NOT BE SUBJECT TO ANOTHER INSPECTION UNDER THIS  
13 SUBSECTION FOR AT LEAST THREE YEARS FROM THE DATE OF  
14 COMPLETION.

15 (C) IDENTIFYING INFORMATION.--EXCEPT AS OTHERWISE PROVIDED  
16 IN THIS SECTION, THE LICENSE PLATE INFORMATION PROVIDED BY A  
17 TRANSPORTATION NETWORK COMPANY TO THE AUTHORITY UNDER SUBSECTION  
18 (B) AND ANY OTHER IDENTIFYING INFORMATION OBTAINED BY THE  
19 AUTHORITY ABOUT THE VEHICLES OR DRIVERS THAT UNDERGO VEHICLE  
20 INSPECTIONS IN ACCORDANCE WITH THIS SECTION IS CONFIDENTIAL AND  
21 NOT BE SUBJECT TO DISCLOSURE TO A THIRD PARTY BY THE AUTHORITY,  
22 INCLUDING THROUGH A REQUEST SUBMITTED UNDER THE ACT OF FEBRUARY  
23 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

24 (D) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
25 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
26 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

27 "ACTIVE DRIVER." A DRIVER WHO HAS COMPLETED AT LEAST ONE  
28 PREARRANGED RIDE THAT WAS REQUESTED THROUGH THE TRANSPORTATION  
29 NETWORK COMPANY'S DIGITAL NETWORK IN THE 90 DAYS IMMEDIATELY  
30 PRECEDING THE DATE OF SUBMISSION OF THE COMPANY'S APPLICATION

1 FOR A TRANSPORTATION NETWORK COMPANY LICENSE OR SUBMISSION OF  
2 ITS APPLICATION FOR RENEWAL.

3 "CLASS A TRANSPORTATION NETWORK COMPANY." A TRANSPORTATION  
4 NETWORK COMPANY THAT, AT THE TIME OF ISSUANCE OF ITS  
5 TRANSPORTATION NETWORK COMPANY LICENSE OR ITS MOST RECENT  
6 LICENSE RENEWAL, HAS MORE THAN 10,000 ACTIVE DRIVERS ON ITS  
7 DIGITAL NETWORK.

8 "CLASS B TRANSPORTATION NETWORK COMPANY." A TRANSPORTATION  
9 NETWORK COMPANY THAT, AT THE TIME OF ISSUANCE OF ITS  
10 TRANSPORTATION NETWORK COMPANY LICENSE OR ITS MOST RECENT  
11 LICENSE RENEWAL, HAS BETWEEN 1,001 AND 10,000 ACTIVE DRIVERS ON  
12 ITS DIGITAL NETWORK.

13 "CLASS C TRANSPORTATION NETWORK COMPANY." A TRANSPORTATION  
14 NETWORK COMPANY THAT, AT THE TIME OF ISSUANCE OF ITS  
15 TRANSPORTATION NETWORK COMPANY LICENSE OR ITS MOST RECENT  
16 LICENSE RENEWAL, HAS BETWEEN 1 AND 1,000 ACTIVE DRIVERS ON ITS  
17 DIGITAL NETWORK.

18 § 57A10. DISTINCTIVE SIGNAGE.

19 (A) DISPLAY.--A PERSONAL VEHICLE USED TO PROVIDE  
20 TRANSPORTATION NETWORK SERVICE SHALL DISPLAY CONSISTENT AND  
21 DISTINCTIVE SIGNAGE AT ALL TIMES WHILE THE DRIVER IS PROVIDING  
22 TRANSPORTATION NETWORK SERVICE. THE DISTINCTIVE SIGNAGE SHALL BE  
23 SUFFICIENTLY LARGE AND COLOR CONTRASTED AS TO BE READABLE FROM <--  
24 THE FRONT AND REAR OF THE VEHICLE DURING DAYLIGHT HOURS AT A  
25 DISTANCE OF AT LEAST 50 FEET AND TO IDENTIFY A PARTICULAR  
26 VEHICLE ASSOCIATED WITH A PARTICULAR TRANSPORTATION NETWORK  
27 COMPANY. ACCEPTABLE FORMS OF DISTINCTIVE SIGNAGE SHALL INCLUDE,  
28 BUT ARE NOT LIMITED TO, SYMBOLS OR SIGNS ON VEHICLE WINDSHIELDS,  
29 DOORS, ROOFS OR GRILLES. MAGNETIC OR OTHER REMOVABLE DISTINCTIVE  
30 SIGNAGE IS ACCEPTABLE. A TRANSPORTATION NETWORK COMPANY SHALL

1 FILE AN ILLUSTRATION OF THEIR DISTINCTIVE SIGNAGE WITH THE  
2 AUTHORITY. THE AUTHORITY MAY NOT REQUIRE SIGNAGE THAT IS  
3 DIFFERENT THAN THAT APPROVED BY THE PENNSYLVANIA PUBLIC UTILITY  
4 COMMISSION. IF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION DOES  
5 NOT APPROVE A FORM OF DISTINCTIVE SIGNAGE, THE AUTHORITY MAY  
6 MAKE THE DESIGNATION.

7 (B) WHEELCHAIR-ACCESSIBLE VEHICLES.--WHEELCHAIR-ACCESSIBLE  
8 VEHICLES WHICH MAY BE USED TO CONNECT WITH PASSENGERS THROUGH A  
9 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK MUST BE CLEARLY  
10 IDENTIFIED AS WHEELCHAIR-ACCESSIBLE VEHICLES WITHIN THE DIGITAL  
11 NETWORK IF A WHEELCHAIR-ACCESSIBLE OPTION IS AVAILABLE WITHIN  
12 THE DIGITAL NETWORK.

13 (C) EMBLEM.--NO PERMANENTLY AFFIXED EMBLEM MAY BE REQUIRED  
14 BY THE AUTHORITY ON VEHICLES AFFILIATED WITH A TRANSPORTATION  
15 NETWORK COMPANY.

16 § 57A11. TRANSPORTATION NETWORK SERVICE ACCESSIBILITY.

17 (A) ACCESSIBILITY OF DIGITAL NETWORK.--BY JANUARY 1, 2017,  
18 THE DIGITAL NETWORK USED BY A TRANSPORTATION NETWORK COMPANY TO  
19 CONNECT DRIVERS AND PASSENGERS SHALL BE ACCESSIBLE TO CUSTOMERS  
20 WHO ARE BLIND, VISUALLY IMPAIRED, DEAF AND HARD OF HEARING.

21 (B) DISCRIMINATION IN SERVICE.--

22 (1) WHERE TRANSPORTATION NETWORK SERVICES ARE OFFERED, A  
23 TRANSPORTATION NETWORK COMPANY MUST TAKE REASONABLE STEPS TO  
24 ENSURE THAT THE SERVICE PROVIDED BY EACH TRANSPORTATION  
25 NETWORK COMPANY DRIVER WHO UTILIZES THE DIGITAL NETWORK IS  
26 OFFERED IN A NONDISCRIMINATORY MANNER. A TRANSPORTATION  
27 NETWORK COMPANY MAY NOT UNLAWFULLY DISCRIMINATE AGAINST A  
28 PROSPECTIVE PASSENGER OR UNLAWFULLY REFUSE TO PROVIDE SERVICE  
29 TO A CERTAIN CLASS OF PASSENGERS OR CERTAIN LOCALITIES.

30 (2) EACH LICENSED TRANSPORTATION NETWORK COMPANY MUST:

1           (I) ADOPT A POLICY OF NONDISCRIMINATION REGARDING  
2           INDIVIDUALS WITH DISABILITIES IN ACCORDANCE WITH THIS  
3           SUBSECTION. THE FOLLOWING INFORMATION SHALL BE PROVIDED  
4           ON THE TRANSPORTATION NETWORK COMPANY'S PUBLICLY  
5           ACCESSIBLE INTERNET WEBSITE:

6                   (A) NOTICE OF THE NONDISCRIMINATION POLICY.

7                   (B) PROCEDURES TO REPORT A COMPLAINT TO THE  
8           COMMISSION OR AUTHORITY ABOUT A TRANSPORTATION  
9           NETWORK COMPANY DRIVER'S ALLEGED VIOLATION OF THIS  
10           SUBSECTION.

11           (II) A TRANSPORTATION NETWORK COMPANY DRIVER MUST  
12           TRANSPORT A SERVICE ANIMAL WHEN ACCOMPANYING A PASSENGER  
13           WITH A DISABILITY FOR NO ADDITIONAL CHARGE UNLESS THE  
14           TRANSPORTATION NETWORK COMPANY DRIVER HAS A DOCUMENTED  
15           MEDICAL ALLERGY ON FILE WITH THE TRANSPORTATION NETWORK  
16           COMPANY.

17           (III) A TRANSPORTATION NETWORK COMPANY MAY NOT  
18           IMPOSE ADDITIONAL CHARGES FOR SERVICE TO AN INDIVIDUAL  
19           WITH A DISABILITY BECAUSE OF THOSE DISABILITIES.

20           (IV) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE  
21           PASSENGERS WITH DISABILITIES REQUIRING THE USE OF  
22           MOBILITY EQUIPMENT AN OPPORTUNITY TO INDICATE ON ITS  
23           DIGITAL NETWORK WHETHER THEY REQUIRE A WHEELCHAIR-  
24           ACCESSIBLE VEHICLE. A TRANSPORTATION NETWORK COMPANY OR  
25           AN AFFILIATED ENTITY MUST FACILITATE TRANSPORTATION  
26           SERVICE FOR PASSENGERS WHO REQUIRE A WHEELCHAIR-  
27           ACCESSIBLE VEHICLE BY DOING ONE OF THE FOLLOWING:

28                   (A) CONNECTING THE PASSENGER TO AN AVAILABLE  
29           TRANSPORTATION NETWORK COMPANY DRIVER OR OTHER DRIVER  
30           OPERATING A WHEELCHAIR-ACCESSIBLE VEHICLE; OR

1                   (B) DIRECTING THE PASSENGER TO AN ALTERNATIVE  
2                   PROVIDER WITH THE AUTHORITY AND ABILITY TO DISPATCH A  
3                   WHEELCHAIR-ACCESSIBLE VEHICLE TO THE PASSENGER.

4                   (C) WHEELCHAIR-ACCESSIBLE VEHICLES.--                   <--

5                   (1) A COMBINED CLASS, COMPRISED OF EACH TRANSPORTATION  
6                   NETWORK COMPANY OPERATING IN THE CITY, SHALL MAKE AN  
7                   AGGREGATED MINIMUM OF 70 WHEELCHAIR-ACCESSIBLE VEHICLES  
8                   AVAILABLE IN THE CITY BY JUNE 30, 2017.

9                   (2) EACH TRANSPORTATION NETWORK COMPANY SHALL REPORT TO  
10                   THE AUTHORITY, BY DECEMBER 31 OF EACH CALENDAR YEAR, THE  
11                   PROGRAMS AND BEST PRACTICES THE TRANSPORTATION NETWORK  
12                   COMPANY HAS IMPLEMENTED TO IMPROVE THE ACCESSIBILITY OF  
13                   SERVICE TO INDIVIDUALS WITH DISABILITIES, INCLUDING THE  
14                   AVAILABILITY AND USE OF WHEELCHAIR-ACCESSIBLE VEHICLES. IF,  
15                   UPON REVIEW OF THE REPORT, THE AUTHORITY CONCLUDES THAT  
16                   TRANSPORTATION NETWORK COMPANIES OPERATING IN THE CITY ARE  
17                   NOT COLLECTIVELY HAVING A POSITIVE IMPACT ON THE AVAILABILITY  
18                   OF WHEELCHAIR-ACCESSIBLE TRANSPORTATION SERVICES, THE  
19                   AUTHORITY MAY, UNTIL DECEMBER 31, 2022, REQUIRE THE COMBINED  
20                   CLASS TO ADD UP TO AN AGGREGATED 10 ADDITIONAL WHEELCHAIR-  
21                   ACCESSIBLE VEHICLES PER YEAR.

22                   § 57A12. TRANSPORTATION NETWORK COMPANY DRIVERS.

23                   (A) SEPARATE LICENSES PROHIBITED.--A SEPARATE LICENSE MAY  
24                   NOT BE REQUIRED FOR A TRANSPORTATION NETWORK COMPANY DRIVER  
25                   AFFILIATED WITH A TRANSPORTATION NETWORK COMPANY TO PROVIDE  
26                   TRANSPORTATION NETWORK SERVICE.

27                   (B) DRIVER QUALIFICATION REQUIREMENTS.--

28                   (1) NO TRANSPORTATION NETWORK COMPANY SHALL ENGAGE ANY  
29                   PERSON AS A TRANSPORTATION NETWORK COMPANY DRIVER UNLESS THE  
30                   TRANSPORTATION NETWORK COMPANY ASCERTAINS THAT THE PERSON:

1           (I) POSSESSES AND HAS POSSESSED A VALID STATE  
2           DRIVER'S LICENSE OR A VALID DRIVER'S LICENSE OF ANOTHER  
3           STATE, DISTRICT OR TERRITORY OF THE UNITED STATES FOR AT  
4           LEAST ONE YEAR PRIOR TO APPLYING TO BECOME A  
5           TRANSPORTATION NETWORK COMPANY DRIVER;

6           (II) IS AT LEAST 21 YEARS OF AGE;

7           (III) HAS NOT HAD MORE THAN THREE MOVING VIOLATIONS  
8           OR A MAJOR VIOLATION IN THE IMMEDIATELY PRECEDING THREE-  
9           YEAR PERIOD; AND

10          (IV) HAS NOT HAD A LIMOUSINE OR TAXI DRIVER  
11          CERTIFICATE SUSPENDED OR REVOKED BY THE AUTHORITY DUE TO  
12          A REGULATORY VIOLATION WITHIN THE FIVE YEARS IMMEDIATELY  
13          PRECEDING HIS APPLICATION TO BE A TRANSPORTATION NETWORK  
14          COMPANY DRIVER. THE AUTHORITY SHALL MAKE A LIST OF ALL  
15          THE DRIVERS AVAILABLE TO A TRANSPORTATION NETWORK COMPANY  
16          UPON REQUEST. THE SUSPENSION OR REVOCATION OF A LICENSE  
17          BY THE AUTHORITY BECAUSE A DRIVER WAS OPERATING AS A  
18          TRANSPORTATION NETWORK COMPANY DRIVER PRIOR TO THE  
19          EFFECTIVE DATE OF THIS SECTION SHALL NOT CONSTITUTE  
20          GROUND FOR DISQUALIFICATION UNDER THIS SUBSECTION.

21          (C) BACKGROUND AND DRIVING HISTORY CHECKS.--

22          (1) PRIOR TO PERMITTING A PERSON TO ACT AS A  
23          TRANSPORTATION NETWORK COMPANY DRIVER ON ITS DIGITAL NETWORK,  
24          A TRANSPORTATION NETWORK COMPANY SHALL DO ALL OF THE  
25          FOLLOWING:

26                (I) CONDUCT OR HAVE A THIRD PARTY CONDUCT A LOCAL  
27                AND NATIONAL CRIMINAL BACKGROUND CHECK FOR EACH DRIVER  
28                APPLICANT. THE BACKGROUND CHECK SHALL INCLUDE A  
29                MULTISTATE OR MULTI JURISDICTIONAL CRIMINAL RECORDS  
30                LOCATOR OR OTHER SIMILAR COMMERCIAL NATIONWIDE DATABASE

1 WITH PRIMARY SOURCE SEARCH VALIDATION AND A REVIEW OF THE  
2 UNITED STATES DEPARTMENT OF JUSTICE NATIONAL SEX OFFENDER  
3 PUBLIC WEBSITE. THE TRANSPORTATION NETWORK COMPANY SHALL  
4 DISQUALIFY AN APPLICANT CONVICTED OF CERTAIN CRIMES IN  
5 ACCORDANCE WITH THE FOLLOWING:

6 (A) AN APPLICANT CONVICTED OF ANY OF THE  
7 FOLLOWING WITHIN THE PRECEDING SEVEN YEARS:

8 (I) DRIVING UNDER THE INFLUENCE OF DRUGS OR  
9 ALCOHOL.

10 (II) A FELONY CONVICTION INVOLVING THEFT.

11 (III) A FELONY CONVICTION FOR FRAUD.

12 (IV) A FELONY CONVICTION FOR A VIOLATION OF  
13 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN  
14 AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND  
15 COSMETIC ACT.

16 (B) AN APPLICANT CONVICTED OF ANY OF THE  
17 FOLLOWING WITHIN THE PRECEDING 10 YEARS:

18 (I) USE OF A MOTOR VEHICLE TO COMMIT A  
19 FELONY.

20 (II) BURGLARY OR ROBBERY.

21 (C) AN APPLICANT CONVICTED OF ANY OF THE  
22 FOLLOWING AT ANY TIME:

23 (I) A SEXUAL OFFENSE UNDER 42 PA.C.S. §  
24 9799.14(C) OR (D) (RELATING TO SEXUAL OFFENSES  
25 AND TIER SYSTEM) OR SIMILAR OFFENSE UNDER THE  
26 LAWS OF ANOTHER JURISDICTION OR UNDER A FORMER  
27 LAW OF THIS COMMONWEALTH.

28 (II) A CRIME OF VIOLENCE AS DEFINED IN 18  
29 PA.C.S. § 5702 (RELATING TO DEFINITIONS).

30 (III) AN ACT OF TERROR.

1           (II) OBTAIN AND REVIEW A DRIVING HISTORY RESEARCH  
2           REPORT FOR THE PERSON FROM THE DEPARTMENT OF  
3           TRANSPORTATION AND OTHER RELEVANT SOURCES. A PERSON WITH  
4           MORE THAN THREE MOVING VIOLATIONS IN THE THREE-YEAR  
5           PERIOD PRIOR TO THE CHECK OR A MAJOR VIOLATION IN THE  
6           THREE-YEAR PERIOD PRIOR TO THE CHECK MAY NOT BE A  
7           TRANSPORTATION NETWORK COMPANY DRIVER.

8           (2) ASCERTAIN THAT ALL THE REQUIREMENTS OF THIS  
9           SUBSECTION ARE MET BEFORE PERMITTING A PERSON TO PROVIDE  
10          SERVICE AS A TRANSPORTATION NETWORK COMPANY DRIVER.

11          (D) CONFIRMATION.--ONE YEAR AFTER ENGAGING A TRANSPORTATION  
12          NETWORK COMPANY DRIVER, AND EVERY SECOND YEAR THEREAFTER, A  
13          TRANSPORTATION NETWORK COMPANY SHALL CONFIRM THAT A  
14          TRANSPORTATION NETWORK COMPANY DRIVER IS STILL ELIGIBLE TO BE A  
15          DRIVER BY VERIFYING THAT THE DRIVER MEETS ALL OF THE  
16          REQUIREMENTS UNDER THIS SECTION, INCLUDING THE CRIMINAL  
17          BACKGROUND CHECK AND DRIVING HISTORY CHECK REQUIREMENT UNDER  
18          SUBSECTION (B), AND SHALL KEEP RECORDS OF THE VERIFICATION FOR A  
19          PERIOD OF THREE YEARS.

20          (E) DRIVER DISQUALIFICATION.--

21          (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE,  
22          THE AUTHORITY MAY ISSUE AN ORDER DISQUALIFYING A PERSON FROM  
23          BEING A DRIVER FOR VIOLATION OF THIS TITLE OR AN ORDER OR  
24          REGULATION OF THE AUTHORITY CONSISTENT WITH THE DUE PROCESS  
25          PROCEDURES PROVIDED FOR UNDER SECTION 5705 (RELATING TO  
26          CONTESTED COMPLAINTS).

27          (2) THE AUTHORITY MAY ADOPT REGULATIONS TO ALLOW FOR THE  
28          REINSTATEMENT OF A DRIVER FOLLOWING AN APPROPRIATE  
29          DISQUALIFICATION PERIOD AND COMPLIANCE WITH ANY CONDITIONS  
30          IMPOSED BY THE AUTHORITY.

1           (3) THE AUTHORITY MAY GIVE NOTICE OF THE INELIGIBILITY  
2 OF A PERSON TO ACT AS A DRIVER TO ALL TRANSPORTATION NETWORK  
3 COMPANIES, AS PROVIDED FOR BY ORDER OR REGULATION.

4           (4) THE AUTHORITY MAY PLACE A TRANSPORTATION NETWORK  
5 COMPANY DRIVER OR PERSONAL VEHICLE OUT OF SERVICE PRIOR TO A  
6 FINAL DETERMINATION THAT THE DRIVER HAS VIOLATED THIS TITLE  
7 OR AN ORDER OR REGULATION OF THE AUTHORITY IF THE BEHAVIOR OF  
8 THE INDIVIDUAL OR CONDITION OF THE VEHICLE OR EQUIPMENT WHICH  
9 VIOLATE THIS TITLE OR AN ORDER OR REGULATION OF THE AUTHORITY  
10 HAS AN IMMEDIATE AND DIRECT ADVERSE IMPACT UPON THE ORDERLY  
11 OPERATION OF TRANSPORTATION NETWORK SERVICE IN A CITY OR  
12 PRESENTS A DIRECT THREAT TO PUBLIC SAFETY. AN OUT-OF-SERVICE  
13 DESIGNATION UNDER THIS PARAGRAPH WILL BE NARROWLY TAILORED TO  
14 CREATE THE MOST LIMITED REDUCTION OF RIGHTS NECESSARY TO  
15 PROTECT THE PUBLIC INTEREST. THE AUTHORITY SHALL FOLLOW THE  
16 PROCEDURES UNDER 52 PA. CODE § 1003.32 (RELATING TO OUT OF  
17 SERVICE DESIGNATION) FOR THE PROCESS.

18 § 57A13. INTOXICATING SUBSTANCE POLICY.

19       (A) ZERO-TOLERANCE POLICY.--A TRANSPORTATION NETWORK COMPANY  
20 SHALL IMPLEMENT AND ENFORCE A ZERO-TOLERANCE POLICY ON THE USE  
21 OF DRUGS OR ALCOHOL BY A TRANSPORTATION NETWORK COMPANY DRIVER  
22 WHILE PROVIDING TRANSPORTATION NETWORK SERVICE. A TRANSPORTATION  
23 NETWORK COMPANY DRIVER WHO IS THE SUBJECT OF A PASSENGER  
24 COMPLAINT ALLEGING A VIOLATION OF THE ZERO-TOLERANCE POLICY  
25 SHALL BE IMMEDIATELY SUSPENDED BY THE TRANSPORTATION NETWORK  
26 COMPANY. THE SUSPENSION SHALL LAST UNTIL THE TIME THE COMPLAINT  
27 INVESTIGATION IS COMPLETE. THE FOLLOWING INFORMATION SHALL BE  
28 PROVIDED ON A TRANSPORTATION NETWORK COMPANY'S PUBLICLY  
29 ACCESSIBLE INTERNET WEBSITE:

30           (1) NOTICE OF THE ZERO-TOLERANCE POLICY.

1           (2) PROCEDURES TO REPORT A COMPLAINT ABOUT A  
2           TRANSPORTATION NETWORK COMPANY DRIVER WITH WHOM THE PASSENGER  
3           WAS MATCHED AND WHOM THE PASSENGER REASONABLY SUSPECTS WAS  
4           UNDER THE INFLUENCE OF DRUGS OR ALCOHOL DURING THE COURSE OF  
5           THE RIDE.

6           (B) SPEECH DISABILITY.--IN INVESTIGATING A ZERO-TOLERANCE  
7           COMPLAINT AGAINST A DRIVER WITH A SPEECH DISABILITY, THE  
8           TRANSPORTATION NETWORK COMPANY SHALL FACTOR THE DRIVER'S SPEECH  
9           DISABILITY IN THE INVESTIGATION AND INQUIRE WHETHER OR NOT THE  
10           COMPLAINT IS BASED ON AN ERRONEOUS PERCEPTION OF THE DRIVER'S  
11           SPEECH DISABILITY.

12           § 57A14. REPORTING REQUIREMENT.

13           (A) DISPLAY.--A TRANSPORTATION NETWORK COMPANY SHALL DISPLAY  
14           THE AUTHORITY'S E-MAIL ADDRESS FOR THE REPORTING OF VIOLATIONS  
15           OF THIS TITLE OR ORDERS OR REGULATIONS OF THE AUTHORITY ON ITS  
16           PUBLICLY ACCESSIBLE INTERNET WEBSITE AND ON THE DIGITAL RECEIPT  
17           PROVIDED TO EACH PASSENGER.

18           (B) CHARGES.--A TRANSPORTATION NETWORK COMPANY SHALL REPORT  
19           A DRIVER THAT HAS BEEN CHARGED WITH ANY CRIME FOR CONDUCT  
20           ALLEGED TO HAVE OCCURRED WHILE PROVIDING A PREARRANGED RIDE TO  
21           THE AUTHORITY WITHIN 48 HOURS OF LEARNING OF THE CRIMINAL  
22           CHARGE, INCLUDING ANY CRIME INVOLVING THE USE OF DRUGS OR  
23           ALCOHOL.

24           (C) REMOVAL.--A TRANSPORTATION NETWORK COMPANY SHALL REPORT  
25           A DRIVER THAT IT HAS REMOVED FROM ITS DIGITAL NETWORK UPON  
26           DETERMINATION THAT THE DRIVER VIOLATED THIS TITLE OR AN ORDER OR  
27           REGULATION OF THE AUTHORITY.

28           § 57A15. DRIVER CREDENTIALS.

29           A TRANSPORTATION NETWORK COMPANY SHALL ISSUE A DIGITAL  
30           CREDENTIAL TO ALL TRANSPORTATION NETWORK COMPANY DRIVERS ENGAGED

1 BY THE COMPANY WHICH SHALL BE DISPLAYED AS PART OF THE COMPANY'S  
2 DIGITAL NETWORK. THE DIGITAL CREDENTIAL SHALL INCLUDE A  
3 PHOTOGRAPH OF THE DRIVER AND THE MAKE, MODEL AND LICENSE PLATE  
4 NUMBER OF THE DRIVER'S PERSONAL VEHICLE.

5 § 57A16. OPERATING REGULATIONS.

6 (A) PROHIBITIONS.--IN ADDITION TO ALL OTHER REQUIREMENTS  
7 PROVIDED UNDER THIS TITLE OR ORDER OR REGULATION OF THE  
8 AUTHORITY, IT SHALL BE UNLAWFUL FOR ANY PERSON:

9 (1) WHO IS UNDER 21 YEARS OF AGE TO OPERATE A PERSONAL  
10 VEHICLE.

11 (2) TO OPERATE A PERSONAL VEHICLE WHILE UNDER THE  
12 INFLUENCE OF ALCOHOLIC BEVERAGES OR CONTROLLED SUBSTANCES,  
13 OTHER THAN MEDICATION PRESCRIBED BY A PHYSICIAN, EXCEPT IF  
14 THE PRESCRIBED MEDICATION DOES NOT WARN THE USER NOT TO  
15 OPERATE MACHINERY WHILE TAKING THE MEDICATION.

16 (3) TO OPERATE A PERSONAL VEHICLE WITHIN THE CITY WHILE  
17 NOT IN POSSESSION OF A VALID DRIVER'S LICENSE ISSUED BY A  
18 STATE, DISTRICT OR TERRITORY OF THE UNITED STATES.

19 (4) TO OPERATE, OR CAUSE TO BE OPERATED, A PERSONAL  
20 VEHICLE THAT DOES NOT MEET THE VEHICLE STANDARD AND  
21 INSPECTION REQUIREMENTS UNDER THIS CHAPTER.

22 (5) TO TRANSPORT OR CAUSE TO BE TRANSPORTED MORE  
23 PASSENGERS ON A GIVEN RIDE IN A VEHICLE THAN THE NUMBER OF  
24 MANUFACTURER INSTALLED SEAT BELTS IN THE VEHICLE.

25 (B) ENGAGEMENT PROHIBITED.--A TRANSPORTATION NETWORK COMPANY  
26 DRIVER MAY NOT ENGAGE IN ANY OF THE FOLLOWING:

27 (1) SOLICITATION OF POTENTIAL PASSENGERS.

28 (2) SOLICITATION OF A CASH PAYMENT FOR A PREARRANGED  
29 RIDE.

30 (3) SOLICITATION OR ACCEPTANCE OF A STREET HAIL OR

1 TELEPHONE CALL FOR TRANSPORTATION OF A PERSON IN A MOTOR  
2 VEHICLE, INCLUDING TRANSPORTATION NETWORK SERVICE.

3 (C) PARKING.--A PERSONAL VEHICLE MAY NOT BE PARKED ON ANY  
4 PUBLIC WAY FOR THE PURPOSE OF PICKING UP PASSENGERS FOR A TIME  
5 LONGER THAN IS REASONABLY NECESSARY TO PICK UP PASSENGERS.

6 (D) DISPLAY.--THE DIGITAL NETWORK USED BY A TRANSPORTATION  
7 NETWORK COMPANY TO CONNECT TRANSPORTATION NETWORK COMPANY  
8 DRIVERS AND PASSENGERS SHALL DISPLAY FOR A PASSENGER THE  
9 DRIVER'S DIGITAL CREDENTIAL REQUIRED UNDER THIS SECTION.

10 (E) DISCLOSURE.--A TRANSPORTATION NETWORK COMPANY SHALL  
11 CLEARLY DISCLOSE, ON THE COMPANY'S INTERNET WEBSITE, THAT THE  
12 COMPANY IS A TRANSPORTATION NETWORK COMPANY. THE DISCLOSURE  
13 SHALL STATE THAT THE TRANSPORTATION NETWORK COMPANY IS REQUIRED  
14 TO MAINTAIN INSURANCE POLICIES AS SPECIFIED UNDER SECTION 57A07  
15 (RELATING TO INSURANCE REQUIREMENTS).

16 (F) PROOF.--A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE  
17 PROOF OF INSURANCE POLICIES REQUIRED UNDER THIS CHAPTER TO EACH  
18 TRANSPORTATION NETWORK COMPANY DRIVER BEFORE THE DRIVER BEGINS  
19 PROVIDING TRANSPORTATION NETWORK SERVICE AND FOR AS LONG AS THE  
20 DRIVER REMAINS AVAILABLE TO PROVIDE SERVICE.

21 (G) RESPONSE.--A TRANSPORTATION NETWORK COMPANY SHALL HAVE  
22 AN AFFIRMATIVE DUTY TO RESPOND TO REQUESTS FOR SERVICE IN  
23 UNDERSERVED AREAS WITHIN THE CITY AND TO ENSURE COMPLIANCE WITH  
24 THIS SUBSECTION BY THE TRANSPORTATION NETWORK COMPANY DRIVERS.

25 (H) DUTIES WHILE LOGGED ONTO A DIGITAL NETWORK.--A  
26 TRANSPORTATION NETWORK COMPANY DRIVER SHALL AT ALL TIMES WHILE  
27 LOGGED ONTO A DIGITAL NETWORK:

28 (1) CARRY AN ELECTRONIC OR PAPER COPY OF PROOF OF THE  
29 INSURANCE POLICIES REQUIRED UNDER THIS CHAPTER COVERING THE  
30 VEHICLE.

1           (2) DISPLAY THE DISTINCTIVE SIGNAGE REQUIRED BY THIS  
2 CHAPTER.

3           (3) IN THE CASE OF AN ACCIDENT:

4           (I) PROVIDE THE INSURANCE COVERAGE INFORMATION  
5 REQUIRED UNDER PARAGRAPH (1) TO ANY OTHER PARTY INVOLVED  
6 IN THE ACCIDENT AND TO THE LAW ENFORCEMENT OFFICER WHO  
7 RESPONDS TO THE SCENE OF THE ACCIDENT.

8           (II) REPORT THE ACCIDENT TO THE TRANSPORTATION  
9 NETWORK COMPANY.

10          (III) REPORT THE ACCIDENT TO THE FOLLOWING:

11           (A) THE TRANSPORTATION NETWORK COMPANY DRIVER'S  
12 PERSONAL AUTOMOBILE INSURER IF REQUIRED BY THE  
13 DRIVER'S POLICY;

14           (B) THE OWNER OF THE AUTOMOBILE IF THE DRIVER IS  
15 NOT THE OWNER OF THE AUTOMOBILE;

16           (C) THE INSURER PROVIDING INSURANCE REQUIRED  
17 UNDER SECTION 57A07; AND

18           (D) THE HOLDER OF THE INSURANCE POLICY COVERING  
19 THE AUTOMOBILE IF THE DRIVER IS NOT THE HOLDER OF THE  
20 POLICY.

21          (6) NOTIFY THE TRANSPORTATION NETWORK COMPANY  
22 IMMEDIATELY UPON CONVICTION FOR ANY OFFENSE LISTED UNDER  
23 SECTION 57A12 (RELATING TO TRANSPORTATION NETWORK COMPANY  
24 DRIVERS) WHICH WOULD DISQUALIFY THE TRANSPORTATION NETWORK  
25 COMPANY DRIVER FROM BEING ELIGIBLE TO PROVIDE TRANSPORTATION  
26 NETWORK SERVICE.

27          (I) COMPLIANCE.--A TRANSPORTATION NETWORK COMPANY AND  
28 TRANSPORTATION NETWORK COMPANY DRIVER MUST COMPLY WITH THE  
29 FOLLOWING:

30           (1) ALL FEDERAL AND STATE LAWS AND REGULATIONS.

1           (2) ALL ORDINANCES OF A CITY.

2           (3) ALL ORDERS AND REGULATIONS OF THE AUTHORITY.

3           (J) DISCRIMINATION.--A TRANSPORTATION NETWORK COMPANY MAY  
4 NOT DISCRIMINATE AGAINST ANY POTENTIAL OR EXISTING EMPLOYEE,  
5 DRIVER OR PASSENGER ON ANY BASIS PROHIBITED BY FEDERAL, STATE OR  
6 CITY NONDISCRIMINATION LAWS.

7           (K) SERVICE ANIMALS.--A TRANSPORTATION NETWORK COMPANY  
8 DRIVER MUST COMPLY WITH ALL FEDERAL, STATE AND CITY  
9 NONDISCRIMINATION LAWS BY ACCEPTING, WITHOUT EXTRA CHARGE,  
10 RIDERS WITH SERVICE ANIMALS. SERVICE ANIMALS SHALL RIDE IN THE  
11 PASSENGER COMPARTMENT OF A VEHICLE. IT SHALL BE A VIOLATION OF  
12 THIS SECTION FOR A TRANSPORTATION NETWORK COMPANY DRIVER TO  
13 PLACE A SERVICE ANIMAL IN ANY PART OF A VEHICLE OTHER THAN THE  
14 PASSENGER COMPARTMENT.

15           (M) CLEAN VEHICLES.--PERSONAL VEHICLES SHALL BE KEPT CLEAN  
16 AT ALL TIMES THEY ARE USED TO PROVIDE A TRANSPORTATION NETWORK  
17 SERVICE.

18           ~~(N) AIRPORT. AUTHORITY LICENSING OF A TRANSPORTATION~~ <--

19           ~~(N) AIRPORT.--~~ <--

20           (1) AUTHORITY LICENSING OF A TRANSPORTATION NETWORK  
21 COMPANY OR APPROVAL TO OPERATE A TRANSPORTATION NETWORK  
22 SERVICE SHALL NOT INCLUDE AUTHORIZATION TO PICK UP OR DROP <--  
23 OFF PASSENGERS AT AN INTERNATIONAL AIRPORT OWNED BY THE CITY  
24 AND LOCATED IN WHOLE OR IN PART IN THE CITY. NOTHING UNDER  
25 THIS SUBSECTION SHALL BE CONSTRUED TO LIMIT THE ABILITY OF A  
26 MUNICIPALITY OR OTHER GOVERNING AUTHORITY THAT OWNS OR  
27 OPERATES AN AIRPORT LOCATED, IN WHOLE OR IN PART, IN A CITY  
28 FROM ADOPTING CONTRACTS, LICENSES AND REGULATIONS RELATING TO  
29 THE DUTIES AND RESPONSIBILITIES ON AIRPORT PROPERTY OF A  
30 TRANSPORTATION NETWORK COMPANY, A TRANSPORTATION NETWORK

1 SERVICE OR A TRANSPORTATION NETWORK COMPANY DRIVER, INCLUDING  
2 THE IMPOSITION OF REASONABLE FEES.

3 (2) IN ADDITION TO ANY OTHER FEE THAT MAY, UNDER THIS <--  
4 SUBSECTION, BE IMPOSED BY A MUNICIPALITY OR OTHER GOVERNING  
5 AUTHORITY THAT OWNS OR OPERATES AN INTERNATIONAL AIRPORT  
6 LOCATED, IN WHOLE OR IN PART, IN THE CITY, A FEE OF \$0.40 PER  
7 VEHICLE SHALL BE CHARGED EACH TIME A PERSONAL VEHICLE  
8 ACCESSES INTERNATIONAL AIRPORT PROPERTY TO PICK UP OR DROP  
9 OFF A PASSENGER. AMOUNTS COLLECTED UNDER THIS PARAGRAPH SHALL  
10 BE REMITTED TO A SECOND CLASS A COUNTY WITHIN WHICH THE  
11 INTERNATIONAL AIRPORT IS ALSO LOCATED, IN WHOLE OR IN PART.

12 (O) TRAIN STATION.--LICENSING OF A TRANSPORTATION NETWORK  
13 COMPANY OR APPROVAL TO OPERATE A TRANSPORTATION NETWORK SERVICE  
14 SHALL NOT INCLUDE AUTHORIZATION TO PICK UP PASSENGERS AT A TRAIN  
15 STATION OWNED BY AMTRAK IN A CITY. NOTHING UNDER THIS SUBSECTION  
16 SHALL BE CONSTRUED TO LIMIT THE ABILITY OF THE ENTITY OR  
17 GOVERNING AUTHORITY THAT OWNS OR OPERATES THE TRAIN STATION  
18 LOCATED IN THE CITY FROM ADOPTING CONTRACTS, LICENSES AND  
19 REGULATIONS RELATING TO THE DUTIES AND RESPONSIBILITIES ON TRAIN  
20 STATION PROPERTY OF A TRANSPORTATION NETWORK COMPANY, A  
21 TRANSPORTATION NETWORK SERVICE OR A TRANSPORTATION NETWORK  
22 COMPANY DRIVER, INCLUDING THE IMPOSITION OF REASONABLE FEES,  
23 EXCEPT THAT A TRAIN STATION OWNED BY AMTRAK IN A CITY MAY NOT  
24 CONTRACT WITH A TRANSPORTATION NETWORK COMPANY TO PROVIDE A LANE  
25 OR A LOT DEDICATED EXCLUSIVELY TO TRANSPORTATION NETWORK COMPANY  
26 VEHICLES.

27 ~~(O)~~ (P) MATERIALS.--PRIOR TO PERMITTING A DRIVER TO DRIVE TO <--  
28 OPERATE ON ITS DIGITAL NETWORK, A TRANSPORTATION NETWORK COMPANY  
29 SHALL PROVIDE TO A TRANSPORTATION NETWORK COMPANY DRIVER  
30 MATERIALS DESIGNED TO ENSURE THAT A DRIVER UNDERSTANDS HOW TO

1 SAFELY AND RESPONSIBLY OPERATE A PERSONAL VEHICLE WHILE LOGGED  
2 ONTO A DIGITAL NETWORK OR PROVIDING PREARRANGED RIDES. GUIDANCE  
3 MATERIALS SHALL CONTAIN INFORMATION RELATED TO PROVIDING SERVICE  
4 TO INDIVIDUALS WITH DISABILITIES AND THE GEOGRAPHY OF THE CITY  
5 UNLESS THE TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK IS  
6 CAPABLE OF PROVIDING GPS NAVIGATION OR OTHER SIMILAR NAVIGATION.  
7 DRIVERS SHALL BE REQUIRED TO ACKNOWLEDGE RECEIPT OF DRIVER  
8 MATERIALS.

9 § 57A17. FARE RATES.

10 (A) OFFER.--A TRANSPORTATION NETWORK COMPANY OR  
11 TRANSPORTATION NETWORK COMPANY DRIVER MAY OFFER TRANSPORTATION  
12 NETWORK SERVICE AT NO CHARGE, SUGGEST A DONATION OR CHARGE A  
13 FARE. IF A FARE IS CHARGED, A TRANSPORTATION NETWORK COMPANY  
14 SHALL DISCLOSE THE FARE OR FARE CALCULATION METHOD PRIOR TO A  
15 PREARRANGED RIDE AND SHALL PROVIDE AN ESTIMATE FOR THE COST OF A  
16 TRIP UPON REQUEST.

17 (B) STATE OF EMERGENCY.--DURING A STATE OF EMERGENCY  
18 DECLARED BY THE MAYOR UNDER AN ORDINANCE OF THE CITY OR THE  
19 GOVERNOR, A TRANSPORTATION NETWORK COMPANY THAT ENGAGES IN  
20 DYNAMIC PRICING SHALL LIMIT THE MULTIPLIER BY WHICH ITS BASE  
21 RATE IS MULTIPLIED TO THE NEXT HIGHEST MULTIPLE BELOW THE THREE  
22 HIGHEST MULTIPLES SET ON DIFFERENT DAYS IN THE 60 DAYS PRECEDING  
23 THE DECLARATION OF EMERGENCY FOR THE SAME TYPE OF SERVICE AND  
24 THE SAME CLASS WITHIN THE CITY. IT SHALL BE A VIOLATION OF THE  
25 ACT OF OCTOBER 31, 2006 (P.L.1210, NO.133), KNOWN AS THE PRICE  
26 GOUGING ACT, FOR A TRANSPORTATION NETWORK COMPANY TO CHARGE A  
27 PRICE THAT EXCEEDS THE LIMITS OF THIS SUBSECTION DURING A STATE  
28 OF EMERGENCY.

29 (C) AMOUNT.--THE AMOUNT OF A DONATION, CHARGE, FARE OR OTHER  
30 COMPENSATION PROVIDED OR RECEIVED FOR A PREARRANGED RIDE SHALL

1 NOT BE SUBJECT TO REVIEW OR APPROVAL BY THE AUTHORITY, EXCEPT ON  
2 A CASE-BY-CASE BASIS WHEN THE AUTHORITY RECEIVES A COMPLAINT  
3 FROM A PASSENGER.

4 (D) HIGHER FARE RATE.--A TRANSPORTATION NETWORK COMPANY MAY  
5 CHARGE PASSENGERS AT A HIGHER FARE RATE THAN THE REGULAR FARE  
6 RATE DISPLAYED ON THE COMPANY'S DIGITAL NETWORK ONLY IF THE  
7 COMPANY COMPLIES WITH ALL OF THE FOLLOWING:

8 (1) THE DIGITAL NETWORK PROVIDES NOTICE OF THE TIME  
9 PERIOD WHEN THE HIGHER FARE RATE IS APPLICABLE;

10 (2) THE DIGITAL NETWORK CLEARLY PROVIDES TO A CUSTOMER  
11 REQUESTING A TRIP THE OPTION TO OBTAIN THE TOTAL FARE  
12 ESTIMATE OF THE TRIP; AND

13 (3) THE TRANSPORTATION NETWORK COMPANY REVIEWS AND  
14 RESPONDS TO ALL PASSENGER COMPLAINTS ABOUT A FARE THAT  
15 EXCEEDS THE ESTIMATED FARE BY MORE THAN 20%.

16 § 57A18. RECORDS AND REPORTS.

17 (A) DUTY TO KEEP.--

18 (1) A TRANSPORTATION NETWORK COMPANY SHALL KEEP  
19 ACCURATE BOOKS AND RECORDS OF ACCOUNT OF THE TRANSPORTATION  
20 NETWORK COMPANY'S OPERATIONS FOR A MINIMUM OF THREE YEARS.  
21 SUCH RECORDS SHALL BE MADE AVAILABLE FOR INSPECTION BY THE  
22 AUTHORITY IN RESPONSE TO A SPECIFIC COMPLAINT ABOUT A DRIVER  
23 OR TRANSPORTATION NETWORK COMPANY AS NECESSARY TO INVESTIGATE  
24 AND RESOLVE THE COMPLAINT, OR IN RESPONSE TO A COMPLIANCE  
25 INQUIRY BY THE AUTHORITY.

26 (2) THE AUTHORITY SHALL INTERVIEW COMPLAINANTS OR  
27 WITNESSES RELATED TO THE MATTER BEING INVESTIGATED, IF ANY,  
28 AND TAKE OTHER STEPS TO ASCERTAIN WHETHER THERE IS A  
29 REASONABLE BASIS TO SUSPECT NONCOMPLIANCE PRIOR TO REQUIRING  
30 A TRANSPORTATION NETWORK COMPANY TO MAKE THE REQUESTED

1 RECORDS AND REPORTS AVAILABLE TO THE AUTHORITY. RECORDS AND  
2 REPORTS DETERMINED BY THE AUTHORITY TO BE NECESSARY FOR  
3 FURTHER INVESTIGATION AND PROSECUTION AFTER REVIEW SHALL BE  
4 PRODUCED TO THE POSSESSION OF THE AUTHORITY.

5 (3) THE INSPECTION OF RECORDS AND REPORTS SHALL OCCUR AT  
6 A LOCATION WITHIN THE CITY DIRECTED BY THE AUTHORITY.

7 (B) RANDOM SELECTION OF UNIQUE IDENTIFICATION NUMBERS. <--

8 COMPLIANCE AUDITS.-- <--

9 (1) THE AUTHORITY MAY DIRECT THAT A TRANSPORTATION  
10 NETWORK COMPANY PROVIDE TO THE AUTHORITY A SELECTION OF  
11 RANDOMLY SELECTED UNIQUE IDENTIFICATION NUMBERS, EACH OF  
12 WHICH HAS BEEN ASSIGNED TO A TRANSPORTATION NETWORK COMPANY  
13 DRIVER WHO IS AN ACTIVE DRIVER AT THE TIME OF THE SUBMISSION.  
14 THE AUTHORITY MAY REQUIRE A TRANSPORTATION NETWORK COMPANY TO  
15 EVIDENCE THE MANNER IN WHICH THE DRIVERS DESIGNATED WERE  
16 RANDOMLY SELECTED.

17 (2) EACH TRANSPORTATION NETWORK COMPANY SHALL PROVIDE TO  
18 THE AUTHORITY AN E-MAIL ADDRESS OR OTHER MEANS OF INSTANT  
19 ELECTRONIC COMMUNICATION OF A COMPANY REPRESENTATIVE FOR  
20 PURPOSES OF THIS AUDIT DESIGNATION, WHICH WILL BE DEEMED  
21 RECEIVED ON THE DATE SENT TO THE AUTHORITY.

22 (3) THE AUTHORITY MAY REQUIRE TRANSPORTATION NETWORK  
23 COMPANIES TO DISCLOSE UNIQUE IDENTIFICATION NUMBERS BASED <--  
24 UPON THE TRANSPORTATION NETWORK COMPANY'S CLASSIFICATION  
25 UNDER SECTION 57A09 (RELATING TO VEHICLE INSPECTIONS) AS  
26 FOLLOWS:

27 (I) CLASS A TRANSPORTATION NETWORK COMPANY: UP TO  
28 1,000 UNIQUE IDENTIFICATION NUMBERS.

29 (II) CLASS B TRANSPORTATION NETWORK COMPANY: UP TO  
30 500 UNIQUE IDENTIFICATION NUMBERS.

1           (III) CLASS C TRANSPORTATION NETWORK COMPANY: UP TO  
2           250 UNIQUE IDENTIFICATION NUMBERS.

3           (4) THE AUTHORITY MAY DESIGNATE UP TO 5% OF THE DRIVERS  
4           IDENTIFIED IN THE LIST PROVIDED PURSUANT TO THIS SUBSECTION  
5           OR 25 DRIVERS, WHICHEVER IS GREATER, FOR A COMPLIANCE AUDIT.

6           (5) WITHIN FIVE BUSINESS DAYS OF RECEIVING AN AUDIT  
7           DESIGNATION AS PROVIDED IN PARAGRAPH (1), THE TRANSPORTATION  
8           NETWORK COMPANY SHALL MAKE AVAILABLE FOR A VISUAL, ON-SITE  
9           INSPECTION TO THE AUTHORITY THE RECORDS REQUIRED TO BE  
10           MAINTAINED UNDER SECTION 57A04(A) (2) (III) AND (IV) (RELATING  
11           TO QUALIFICATIONS FOR LICENSURE) SO THAT THE AUTHORITY MAY  
12           VERIFY THAT THE COMPANY HAS COMPLIED WITH THE DRIVER  
13           SCREENING REQUIREMENTS AND TO CONFIRM THAT THE SELECTED  
14           DRIVERS QUALIFY AS TRANSPORTATION NETWORK COMPANY DRIVERS AS  
15           PROVIDED IN THIS CHAPTER.

16           (6) THE AUDIT SHALL BE CONDUCTED AT A LOCATION IN THE  
17           CITY DESIGNATED BY THE AUTHORITY.

18           (7) THE AUTHORITY MAY CONDUCT NO MORE THAN ONE AUDIT  
19           PURSUANT TO THIS SUBSECTION ONCE EVERY 90 DAYS.

20           (C) IMPOSITION OF PENALTY.--

21           (1) IF AN AUDIT CONDUCTED UNDER SUBSECTION (B) REVEALS  
22           THAT THE COMPANY AUTHORIZED A DRIVER TO OPERATE AS A  
23           TRANSPORTATION NETWORK COMPANY WHEN THE BACKGROUND CHECK OR  
24           DRIVING HISTORY REVIEWED IN ACCORDANCE WITH SECTION 57A12(C)  
25           (RELATING TO TRANSPORTATION NETWORK COMPANY DRIVERS) REVEALED  
26           THAT THEY WERE INELIGIBLE, THE AUTHORITY MAY IMPOSE A PENALTY  
27           AGAINST THE TRANSPORTATION NETWORK COMPANY IN AN AMOUNT NOT  
28           GREATER THAN \$1,000 FOR EACH NONCOMPLIANT DRIVER.

29           (2) THE TRANSPORTATION NETWORK COMPANY SHALL IMMEDIATELY  
30           REMOVE A NONCOMPLIANT DRIVER IDENTIFIED AS PROVIDED IN

1 PARAGRAPH (1) FROM TRANSPORTATION NETWORK SERVICE UPON THE  
2 AUTHORITY'S DIRECTION.

3 (3) THE AUTHORITY MAY ALERT OTHER TRANSPORTATION NETWORK  
4 COMPANIES OF THE INELIGIBILITY OF THE NONCOMPLIANT DRIVER IN  
5 ORDER TO PROTECT THE PUBLIC GOOD.

6 (D) FOLLOW-UP REPORT AND REMEDIAL AUDIT.--

7 (1) (I) IN THE EVENT THAT AN AUDIT DISCREPANCY IS  
8 IDENTIFIED AS SPECIFIED IN SUBSECTION (C) (1), THE  
9 AUTHORITY MAY DIRECT A TRANSPORTATION NETWORK COMPANY TO  
10 SUBMIT A FOLLOW-UP REPORT DETAILING ITS EFFORTS TO ENSURE  
11 COMPLIANCE WITH SECTION 57A12 (C).

12 (II) IN THE EVENT THAT AN EGREGIOUS AUDIT  
13 DISCREPANCY IS IDENTIFIED OR MULTIPLE AUDIT DISCREPANCIES  
14 ARE IDENTIFIED OR THE AUTHORITY MAKES A REASONABLE  
15 DETERMINATION THAT A TRANSPORTATION NETWORK COMPANY HAS  
16 FAILED TO REASONABLY COOPERATE IN THE DRIVER INFORMATION  
17 AUDIT PROCESS, THE AUTHORITY MAY DIRECT A TRANSPORTATION  
18 NETWORK COMPANY TO PARTICIPATE IN REMEDIAL AUDITS.

19 (III) A DIRECTION UNDER THIS SECTION SHALL BE  
20 CONSIDERED A DIRECTION OF STAFF AS PROVIDED FOR IN 52 PA.  
21 CODE § 1005.24 (RELATING TO APPEALS FROM ACTIONS OF THE  
22 STAFF).

23 (2) A REMEDIAL AUDIT SHALL PROCEED AS PROVIDED IN  
24 SUBSECTION (B). FOR PURPOSES OF THE REMEDIAL AUDIT, THE  
25 AUTHORITY MAY DESIGNATE UP TO 10% OF THE DRIVERS IDENTIFIED  
26 IN THE LIST DISCLOSED PURSUANT TO SUBSECTION (B) (1).

27 (3) THE AUTHORITY MAY DIRECT ONE REMEDIAL AUDIT AT ANY  
28 TIME EACH MONTH FOR A FOUR-MONTH PERIOD FOLLOWING THE  
29 DISCOVERY OF THE VIOLATION.

30 (4) IF AN AUDIT CONDUCTED UNDER THIS SUBSECTION REVEALS

1 THAT THE COMPANY AUTHORIZED A DRIVER TO OPERATE AS A  
2 TRANSPORTATION NETWORK COMPANY WHEN THE BACKGROUND CHECK OR  
3 DRIVING HISTORY REVIEWED IN ACCORDANCE WITH SECTION 57A12(C)  
4 REVEALED THAT THEY WERE INELIGIBLE, THE AUTHORITY MAY IMPOSE  
5 A PENALTY AGAINST THE TRANSPORTATION NETWORK COMPANY IN AN  
6 AMOUNT NOT GREATER THAN \$2,500 FOR EACH NONCOMPLIANT DRIVER.

7 (5) THE TRANSPORTATION NETWORK COMPANY SHALL IMMEDIATELY  
8 REMOVE A NONCOMPLIANT DRIVER IDENTIFIED AS PROVIDED IN  
9 PARAGRAPH (4) FROM TRANSPORTATION NETWORK SERVICE AT THE  
10 AUTHORITY'S DIRECTION. THE AUTHORITY MAY ALERT OTHER  
11 TRANSPORTATION NETWORK COMPANIES OF THE INELIGIBILITY OF THE  
12 NONCOMPLIANT DRIVER IN ORDER TO PROTECT THE PUBLIC GOOD.

13 (E) CONSTRUCTION.--

14 (1) THIS SECTION IS INTENDED TO FOSTER GENERAL  
15 COMPLIANCE WITH DRIVER QUALIFICATION REVIEWS CONDUCTED BY  
16 TRANSPORTATION NETWORK COMPANIES.

17 (2) THIS SECTION SHALL NOT BE CONSTRUED TO LIMIT THE  
18 POWER OF THE AUTHORITY TO CONDUCT ENFORCEMENT INVESTIGATIONS  
19 RELATED TO TRANSPORTATION NETWORK COMPANIES OR TRANSPORTATION  
20 NETWORK COMPANY DRIVERS, OR BOTH, AS AUTHORIZED UNDER THIS  
21 CHAPTER OR THE OBLIGATION OF TRANSPORTATION NETWORK  
22 COMPANIES, THEIR AGENTS AND EMPLOYEES AND TRANSPORTATION  
23 NETWORK COMPANY DRIVERS TO COOPERATE WITH SUCH INVESTIGATIONS  
24 AND PRODUCE INFORMATION DEMANDED AS REQUIRED UNDER THIS  
25 CHAPTER.

26 (3) A TRANSPORTATION NETWORK COMPANY DRIVER-RELATED  
27 DISCREPANCY, AS IDENTIFIED IN SUBSECTION (D), DISCOVERED  
28 DURING THE COURSE OF AN ENFORCEMENT ACTION SHALL RESULT IN  
29 THE TRANSPORTATION NETWORK COMPANY BEING SUBJECT TO THE SAME  
30 PENALTY, REPORTING AND REMEDIAL AUDIT OBLIGATIONS PROVIDED IN

1 THIS SECTION.

2 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,  
3 INFORMATION PRODUCED TO THE AUTHORITY IN FURTHERANCE OF AN  
4 ENFORCEMENT INVESTIGATION OR PURSUANT TO THIS SECTION SHALL  
5 NOT BE RELEASED TO A THIRD PARTY, INCLUDING THROUGH A REQUEST  
6 SUBMITTED UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3),  
7 KNOWN AS THE RIGHT-TO-KNOW LAW.

8 (F) CLASS A.--A TRANSPORTATION NETWORK COMPANY THAT IS  
9 CLASSIFIED AS A CLASS A TNC UNDER THIS SECTION AND SECTION 57A09  
10 (RELATING TO VEHICLE INSPECTIONS) AND A TIER 1 TNC UNDER SECTION  
11 57A21 (RELATING TO ENFORCEMENT AND RULES AND REGULATIONS) SHALL  
12 NOT BE REQUIRED TO DISCLOSE TO THE AUTHORITY THE NUMBER OF  
13 VEHICLES OR DRIVERS ASSOCIATED WITH ITS DIGITAL PLATFORM.  
14 § 57A19. PENALTIES.

15 (A) PENALTY AMOUNT AND TRAINING PROGRAM.--IN ADDITION TO  
16 OTHER PENALTIES AUTHORIZED BY THIS CHAPTER, ANY PERSON OR ENTITY  
17 THAT VIOLATES THIS CHAPTER OR ANY ORDER OR REGULATION OF THE  
18 AUTHORITY RELATED TO THIS CHAPTER MAY BE SUBJECT TO A PENALTY OF  
19 UP TO \$1,000 FOR EACH VIOLATION AND MAY BE REQUIRED TO COMPLETE  
20 A SUPPLEMENTAL TRAINING PROGRAM. EACH DAY THAT A VIOLATION  
21 CONTINUES MAY BE DEEMED A SEPARATE AND DISTINCT OFFENSE.

22 (B) SUSPENSION, REVOCATION OR DENIAL.--IN ADDITION TO OTHER  
23 PENALTIES UNDER THIS CHAPTER, AND PURSUANT TO SUBSECTION (D),  
24 ANY AUTHORIZATION APPROVED BY THE AUTHORITY MAY BE SUSPENDED,  
25 REVOKED OR DENIED RENEWAL FOR ANY VIOLATION OF THIS CHAPTER OR  
26 AN ORDER OR REGULATION OF THE AUTHORITY.

27 (C) TRANSPORTATION NETWORK COMPANY LICENSE.--ANY PERSON  
28 WHOSE TRANSPORTATION NETWORK COMPANY LICENSE IS CANCELED OR  
29 REVOKED UNDER THIS CHAPTER SHALL BE INELIGIBLE TO RECEIVE  
30 ANOTHER TRANSPORTATION NETWORK COMPANY LICENSE UNDER THE SAME OR

1 A DIFFERENT NAME FOR A PERIOD OF NOT LESS THAN ONE YEAR  
2 FOLLOWING REVOCATION. THIS PROHIBITION SHALL APPLY TO ANY PERSON  
3 WITH A CONTROLLING INFLUENCE IN A CANCELED OR REVOKED  
4 TRANSPORTATION NETWORK COMPANY AS THE AUTHORITY MAY PROVIDE BY  
5 REGULATION.

6 (D) ENFORCEMENT ACTIONS.--ENFORCEMENT ACTIONS INITIATED  
7 UNDER THIS CHAPTER SHALL PROCEED AS PROVIDED IN SECTION 5705  
8 (RELATING TO CONTESTED COMPLAINTS) AND REGULATIONS PROMULGATED  
9 BY THE AUTHORITY PROVIDING FOR THE FORM AND PROCESS OF THE  
10 ENFORCEMENT ACTIONS.

11 (E) DEFINITIONS.--THE FOLLOWING WORDS AND PHRASES WHEN USED  
12 IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
13 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

14 "SUPPLEMENTAL TRAINING COMPANY." A COMPANY APPROVED BY A  
15 TRANSPORTATION NETWORK COMPANY TO TEACH A SUPPLEMENTAL TRAINING  
16 PROGRAM.

17 "SUPPLEMENTAL TRAINING PROGRAM." A TRAINING PROGRAM TAUGHT  
18 BY A SUPPLEMENTAL TRAINING COMPANY THAT IS APPROVED BY THE  
19 AUTHORITY AND THAT COVERS THE FOLLOWING TOPICS:

20 (1) THE GEOGRAPHY OF THE CITY.

21 (2) THE PROVISION OF SAFE TRANSPORTATION NETWORK  
22 SERVICE.

23 (3) THE PROVISION OF COURTEOUS SERVICE.

24 (4) STATUTORY OR REGULATORY REQUIREMENTS RELATED TO  
25 TRANSPORTATION NETWORK COMPANY DRIVERS.

26 (5) THE PROVISION OF SERVICE TO PERSONS WITH  
27 DISABILITIES.

28 § 57A20. IMPOUNDMENT OF VEHICLES.

29 (A) AUTHORITY TO IMPOUND.--THE AUTHORITY MAY CONFISCATE AND  
30 IMPOUND VEHICLES AND EQUIPMENT UTILIZED TO PROVIDE

1 TRANSPORTATION NETWORK SERVICE ORIGINATING IN THE CITY WITHOUT  
2 PROOF OF CURRENT AFFILIATION WITH A TRANSPORTATION NETWORK  
3 COMPANY LICENSED BY THE AUTHORITY.

4 (B) RETURN OF VEHICLE AND EQUIPMENT.--UPON SATISFACTION OF  
5 ALL TERMS OF IMPOUNDMENT, INCLUDING PAYMENT OF ALL PENALTIES  
6 IMPOSED AND ALL OUTSTANDING PENALTIES ASSESSED AGAINST THE OWNER  
7 OR OPERATOR OF THE CONFISCATED VEHICLE AND PAYMENT OF THE COSTS  
8 OF THE AUTHORITY ASSOCIATED WITH CONFISCATION AND IMPOUNDMENT,  
9 THE VEHICLE AND EQUIPMENT SHALL BE RETURNED TO ITS REGISTERED  
10 OWNER OR REGISTERED LIENHOLDER, UNLESS THE AUTHORITY DETERMINES  
11 THAT THE RELEASE WOULD PRESENT A DANGER TO THE TRAVELING PUBLIC.

12 (C) PUBLIC AUCTION.--THE FOLLOWING SHALL APPLY:

13 (1) IF THE OWNER, LIENHOLDER OR OPERATOR OF THE  
14 IMPOUNDED VEHICLE OR EQUIPMENT DOES NOT ACT TO SECURE  
15 POSSESSION OF THE IMPOUNDED PROPERTY WITHIN 45 DAYS OF THE  
16 DATE OF IMPOUNDMENT, THE AUTHORITY MAY PUBLICLY AUCTION ALL  
17 CONFISCATED PROPERTY. THE AUTHORITY MAY NOT SCHEDULE THE  
18 IMPOUNDED VEHICLE OR EQUIPMENT FOR AUCTION IF THE OWNER,  
19 LIENHOLDER OR OPERATOR HAS INITIATED PROCEEDINGS BEFORE THE  
20 AUTHORITY TO CONTEST THE UNDERLYING VIOLATION OR THE  
21 PROPRIETY OF THE IMPOUNDMENT.

22 (2) AT LEAST 30 DAYS BEFORE THE DATE OF THE PUBLIC  
23 AUCTION, THE AUTHORITY SHALL PROVIDE NOTICE BY REGULAR MAIL  
24 TO THE REGISTERED OWNER AND ANY REGISTERED LIENHOLDER OF THE  
25 PUBLIC AUCTION OF CONFISCATED VEHICLES AND EQUIPMENT. THE  
26 NOTICE REQUIRED UNDER THIS PARAGRAPH MAY BE PROVIDED WITHIN  
27 THE PERIOD OF 45 DAYS OF THE DATE OF IMPOUNDMENT.

28 (3) THE AUTHORITY SHALL APPLY THE PROCEEDS FROM THE SALE  
29 OF ALL CONFISCATED PROPERTY IN THE FOLLOWING ORDER:

30 (I) TO THE COSTS OF THE AUTHORITY ASSOCIATED WITH <--

1 ~~THE CONFISCATION, IMPOUNDMENT AND AUCTION. EXCEPT AS~~ <--  
2 ~~PROVIDED UNDER SUBPARAGRAPH (V), TO SATISFY ANY LIENS ON~~  
3 ~~THE VEHICLE OR, IF THE VEHICLE IS SUBJECT TO A LEASE, TO~~  
4 ~~PAY THE LESSOR DAMAGES DUE TO THE LESSOR UPON DEFAULT BY~~  
5 ~~THE LESSEE AS PROVIDED UNDER 13 PA.C.S. § 2A527 (RELATING~~  
6 ~~TO LESSOR'S RIGHTS TO DISPOSE OF GOODS).~~

7 (II) TO THE COSTS OF THE AUTHORITY ASSOCIATED WITH  
8 THE CONFISCATION, IMPOUNDMENT AND AUCTION.

9 ~~(II)~~ (III) TO ALL PENALTIES IMPOSED AND ALL <--  
10 OUTSTANDING PENALTIES ASSESSED AGAINST THE OWNER AND  
11 OPERATOR OF THE CONFISCATED PROPERTY.

12 ~~(III) EXCEPT AS PROVIDED IN SUBPARAGRAPH (V), TO THE~~ <--  
13 ~~LIEN OF ANY REGISTERED LIENHOLDER OF THE CONFISCATED~~  
14 ~~PROPERTY UPON DEMAND.~~

15 (IV) EXCEPT AS PROVIDED IN SUBPARAGRAPH (V), TO THE  
16 REGISTERED OWNER OF THE CONFISCATED PROPERTY UPON DEMAND.

17 (V) WHEN NOT CLAIMED BY ANY REGISTERED LIENHOLDER OR  
18 REGISTERED OWNER WITHIN ONE YEAR OF THE AUCTION DATE, TO  
19 THE TNC REGULATORY FUND CREATED UNDER SECTION 57A22 (C) <--  
20 RESTRICTED ACCOUNT PROVIDED FOR UNDER SECTION 57A22 <--  
21 (RELATING TO TRANSPORTATION NETWORK SERVICE FUND).

22 (D) UNCOMPENSATED COSTS.--AFTER APPLICATION OF THE PROCEEDS  
23 FROM THE SALE OF CONFISCATED PROPERTY UNDER SUBSECTION (C) (3),  
24 THE UNCOMPENSATED COSTS OF THE AUTHORITY ASSOCIATED WITH THE  
25 CONFISCATION, IMPOUNDMENT AND AUCTION AND ALL OUTSTANDING  
26 PENALTIES IMPOSED AND ALL OUTSTANDING FINES ASSESSED AGAINST THE  
27 REGISTERED OWNER OR OPERATOR OF THE CONFISCATED PROPERTY MAY BE  
28 ASSESSED AGAINST THE REGISTERED OWNER OR OPERATOR OF THE  
29 CONFISCATED PROPERTY AS THE AUTHORITY MAY PRESCRIBE BY  
30 REGULATION.

1 § 57A21. ENFORCEMENT AND RULES AND REGULATIONS.

2 (A) DISPLAY.--UPON REQUEST, A TRANSPORTATION NETWORK COMPANY  
3 DRIVER SHALL DISPLAY TO THE AUTHORITY OR OTHER PERSON AUTHORIZED  
4 TO ENFORCE THIS CHAPTER A PHYSICAL OR ELECTRONIC RECORD OF A  
5 RIDE IN PROGRESS SUFFICIENT TO ESTABLISH THAT IT WAS A  
6 PREARRANGED RIDE. TO THE EXTENT THAT TRIP RECORDS ARE CONTAINED  
7 ON ELECTRONIC DEVICES, DRIVERS ARE NOT REQUIRED TO RELINQUISH  
8 CUSTODY OF THE DEVICES IN ORDER TO MAKE THE REQUIRED DISPLAY.

9 (B) INVESTIGATION.--IF A PERSON FILES A COMPLAINT AGAINST A  
10 TRANSPORTATION NETWORK COMPANY OR TRANSPORTATION NETWORK COMPANY  
11 DRIVER WITH THE AUTHORITY, IN ADDITION TO ALL OTHER POWERS AND  
12 REMEDIES PROVIDED UNDER THIS TITLE, THE AUTHORITY MAY INSPECT  
13 THE TRANSPORTATION NETWORK COMPANY'S RECORDS IN ACCORDANCE WITH  
14 THIS CHAPTER AS NECESSARY TO INVESTIGATE AND RESOLVE THE  
15 COMPLAINT. NOTHING PROVIDED IN THIS SECTION SHALL BE CONSTRUED  
16 TO PROHIBIT THE AUTHORITY FROM INVESTIGATING ANY COMPLAINT  
17 AGAINST A TRANSPORTATION NETWORK COMPANY DRIVER OR TAKING  
18 APPROPRIATE ENFORCEMENT ACTION IN ACCORDANCE WITH THIS CHAPTER.

19 (C) AUTHORITY TO PRESCRIBE RULES AND REGULATIONS.--THE  
20 AUTHORITY MAY PRESCRIBE RULES AND REGULATIONS AS IT DEEMS  
21 NECESSARY TO GOVERN THE REGULATION OF TRANSPORTATION NETWORK  
22 SERVICE ORIGINATING IN THE CITY UNDER THIS CHAPTER.

23 ~~§ 57A22. TRANSPORTATION NETWORK SERVICE FUND.~~

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24 ~~(A) MINIMUM ANNUAL ASSESSMENT. THE FOLLOWING APPLY:~~

25 ~~(1) A TRANSPORTATION NETWORK COMPANY SHALL REMIT TO THE~~  
26 ~~AUTHORITY A MINIMUM ANNUAL ASSESSMENT IN ACCORDANCE WITH THE~~  
27 ~~FOLLOWING FEE SCHEDULE:~~

28 ~~(I) FOR A TIER 1 TNC, \$2,000,000.~~

29 ~~(II) FOR A TIER 2 TNC, \$750,000.~~

30 ~~(III) FOR A TIER 3 TNC, \$500,000.~~

1           ~~(IV) FOR A TIER 4 TNC, \$100,000.~~

2           ~~(2) THE ANNUAL MINIMUM PAYMENTS REQUIRED UNDER~~  
3 ~~PARAGRAPH (1) SHALL BE PAID TO THE AUTHORITY IN ADVANCE IN~~  
4 ~~FOUR EQUAL QUARTERLY INSTALLMENTS ON JULY 1, OCTOBER 1,~~  
5 ~~JANUARY 1 AND APRIL 1 OF EACH FISCAL YEAR. THE FISCAL YEAR~~  
6 ~~SHALL BEGIN EACH JULY 1 AND END THE FOLLOWING JUNE 30.~~  
7 ~~AMOUNTS DUE FOR LICENSES ISSUED BETWEEN THESE QUARTERLY DATES~~  
8 ~~SHALL BE ASSESSED ON A QUARTERLY BASIS.~~

9           ~~(C) REGULATORY FUND. THE CITY TRANSPORTATION NETWORK~~  
10 ~~SERVICE REGULATORY FUND IS ESTABLISHED AS A SPECIAL FUND IN THE~~  
11 ~~STATE TREASURY. THE CITY TRANSPORTATION NETWORK SERVICE~~  
12 ~~REGULATORY FUND SHALL BE THE PRIMARY OPERATING FUND OF THE~~  
13 ~~AUTHORITY FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER~~  
14 ~~AND SHALL BE ADMINISTERED AS FOLLOWS:~~

15           ~~(1) ASSESSMENTS, FEES, PENALTIES AND OTHER REVENUES,~~  
16 ~~INTEREST EARNED BY THE CITY TRANSPORTATION NETWORK SERVICE~~  
17 ~~REGULATORY FUND, REFUNDS AND REPAYMENTS RELATED TO THE~~  
18 ~~ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER SHALL BE~~  
19 ~~DEPOSITED INTO THE CITY TRANSPORTATION NETWORK SERVICE~~  
20 ~~REGULATORY FUND BY THE AUTHORITY.~~

21           ~~(2) MONEY DEPOSITED IN THE CITY TRANSPORTATION NETWORK~~  
22 ~~SERVICE REGULATORY FUND SHALL BE RESERVED FOR THE USE OF THE~~  
23 ~~AUTHORITY AND SHALL BE TRANSFERRED TO THE AUTHORITY WITHIN 30~~  
24 ~~DAYS OF RECEIPT OF SUCH FUNDS FOR THE PURPOSES OF~~  
25 ~~ADMINISTERING AND ENFORCING THIS TITLE.~~

26           ~~(3) THE AUTHORITY SHALL HAVE AT LEAST ONE ANNUAL~~  
27 ~~EXAMINATION OF ITS BOOKS, ACCOUNTS AND RECORDS RELATED TO THE~~  
28 ~~CITY TRANSPORTATION NETWORK SERVICE REGULATORY FUND BY A~~  
29 ~~CERTIFIED PUBLIC ACCOUNTANT.~~

30           ~~(C.1) EDUCATION FUND. THE CITY TRANSPORTATION NETWORK~~

1 ~~SERVICE EDUCATION FUND IS ESTABLISHED AS A SPECIAL FUND IN THE~~  
2 ~~STATE TREASURY. THE CITY TRANSPORTATION NETWORK SERVICE~~  
3 ~~EDUCATION FUND SHALL HOLD MONEY DEPOSITED WITH THE STATE~~  
4 ~~TREASURER AS PROVIDED UNDER SUBSECTION (D.1). THE STATE~~  
5 ~~TREASURER SHALL TRANSFER ALL OF THE MONEY IN THE CITY~~  
6 ~~TRANSPORTATION NETWORK SERVICE EDUCATION FUND TO THE GENERAL~~  
7 ~~FUND OF A SCHOOL DISTRICT OF THE FIRST CLASS COTERMINOUS WITH~~  
8 ~~THE CITY WITHIN 30 DAYS OF RECEIPT OF SUCH FUNDS. THE PROVISIONS~~  
9 ~~OF SECTION 696(H) (1) OF THE ACT OF MARCH 10, 1949 (P.L.30,~~  
10 ~~NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, SHALL NOT APPLY~~  
11 ~~TO AMOUNTS TRANSFERRED TO A SCHOOL DISTRICT OF THE FIRST CLASS~~  
12 ~~UNDER THIS SUBSECTION.~~

13 ~~(D) GROSS RECEIPTS ANNUAL ASSESSMENT. ON JULY 30 OF EACH~~  
14 ~~YEAR, A TRANSPORTATION NETWORK COMPANY LICENSED BY THE AUTHORITY~~  
15 ~~UNDER THIS CHAPTER SHALL PAY TO THE AUTHORITY AN AMOUNT EQUAL TO~~  
16 ~~1.7% OF THE GROSS RECEIPTS FROM FARES COLLECTED FOR ALL~~  
17 ~~PREARRANGED RIDES THAT ORIGINATED IN THE CITY IN THE PRIOR~~  
18 ~~FISCAL YEAR MINUS THE MINIMUM ANNUAL ASSESSMENT THE~~  
19 ~~TRANSPORTATION NETWORK COMPANY PAID THAT YEAR IN ACCORDANCE WITH~~  
20 ~~SUBSECTION (B). THE ASSESSMENT UNDER THIS SECTION MAY ONLY BE~~  
21 ~~MADE UPON THE FARE COLLECTED AND SHALL NOT INCLUDE ANY OTHER~~  
22 ~~PAYMENT FOR PREARRANGED RIDES CHARGED TO RECOUP COSTS SUCH AS~~  
23 ~~TOLL, AIRPORT ENTRY FEES OR ASSESSMENTS NOT PROVIDED FOR IN THIS~~  
24 ~~SECTION. GROSS RECEIPTS FROM FARES SHALL NOT BE REDUCED BY ANY~~  
25 ~~INCOME OR SALES TAX, PAYMENT PROCESSING FEE, INTEREST OR~~  
26 ~~TRANSMISSION FEE.~~

27 ~~(D.1) EXCESS FUNDS. IN THE EVENT THE ASSESSMENT AMOUNT PAID~~  
28 ~~BY ALL TRANSPORTATION NETWORK COMPANIES REQUIRED UNDER~~  
29 ~~SUBSECTIONS (B) AND (D) RESULTS IN DEPOSITS EXCEEDING \$4,000,000~~  
30 ~~INTO THE CITY TRANSPORTATION NETWORK SERVICE REGULATORY FUND,~~

~~1 ANY EXCESS SHALL BE DEPOSITED INTO THE CITY TRANSPORTATION  
2 NETWORK SERVICE EDUCATION FUND UNTIL SUCH TIME AS THE DEPOSITS  
3 TO THAT FUND EQUAL \$4,000,000 AFTER WHICH THE BALANCE OF THE  
4 ASSESSMENT PROVIDED FOR UNDER SUBSECTIONS (B) AND (D) SHALL BE  
5 DIVIDED EQUALLY AND ONE HALF OF SUCH BALANCE SHALL BE DEPOSITED  
6 INTO THE CITY TRANSPORTATION NETWORK SERVICE EDUCATION FUND AND  
7 ONE HALF OF SUCH BALANCE SHALL BE DEPOSITED INTO THE CITY  
8 TRANSPORTATION NETWORK SERVICE REGULATORY FUND.~~

~~9 (E) ASSESSMENT CAP. THE FOLLOWING APPLY:~~

~~10 (1) THE TOTAL ANNUAL ASSESSMENTS OWED BY A  
11 TRANSPORTATION NETWORK COMPANY FOR EACH FISCAL YEAR BEGINNING  
12 JULY 1 UNDER SUBSECTIONS (B) AND (D) SHALL BE CAPPED AS  
13 FOLLOWS:~~

~~14 (I) FOR A TIER 1 TNC, \$4,000,000.~~

~~15 (II) FOR A TIER 2 TNC, \$3,500,000.~~

~~16 (III) FOR A TIER 3 TNC, \$3,000,000.~~

~~17 (IV) FOR A TIER 4 TNC, \$3,000,000.~~

~~18 (2) THE CAP INSTITUTED UNDER THIS SUBSECTION SHALL APPLY  
19 TO A TRANSPORTATION NETWORK COMPANY'S TOTAL ANNUAL  
20 ASSESSMENT, REGARDLESS OF WHETHER THE FUNDS ARE DEPOSITED  
21 INTO THE CITY TRANSPORTATION NETWORK SERVICE EDUCATION FUND,  
22 THE CITY TRANSPORTATION NETWORK SERVICE REGULATORY FUND, OR  
23 BOTH.~~

~~24 (F) ADJUSTMENTS. ADJUSTMENTS TO THE AMOUNTS SET FORTH  
25 UNDER SUBSECTIONS (B), (D.1) AND (E) SHALL BE MADE AS FOLLOWS:~~

~~26 (1) THE DEPARTMENT OF LABOR AND INDUSTRY OF THE  
27 COMMONWEALTH SHALL DETERMINE THE PERCENTAGE CHANGE IN THE  
28 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS: ALL ITEMS (CPI  
29 U) FOR THE UNITED STATES CITY AVERAGE AS PUBLISHED BY THE  
30 UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR~~

1 ~~STATISTICS, FOR THE 12 MONTH PERIOD ENDING SEPTEMBER 30,~~  
2 ~~2016, AND FOR EACH SUCCESSIVE 12 MONTH PERIOD THEREAFTER.~~

3 ~~(2) IF THE DEPARTMENT OF LABOR AND INDUSTRY OF THE~~  
4 ~~COMMONWEALTH DETERMINES THAT THERE IS NO POSITIVE PERCENTAGE~~  
5 ~~CHANGE, THEN NO ADJUSTMENT TO THE ASSESSMENT AMOUNTS SHALL~~  
6 ~~OCCUR FOR THE RELEVANT TIME PERIOD PROVIDED FOR IN THIS~~  
7 ~~SUBSECTION.~~

8 ~~(3) THE FOLLOWING APPLY:~~

9 ~~(I) IF THE DEPARTMENT OF LABOR AND INDUSTRY~~  
10 ~~DETERMINES THAT THERE IS A POSITIVE PERCENTAGE CHANGE IN~~  
11 ~~THE FIRST YEAR THAT THE DETERMINATION IS MADE UNDER~~  
12 ~~PARAGRAPH (1), THE POSITIVE PERCENTAGE CHANGE SHALL BE~~  
13 ~~MULTIPLIED BY THE ASSESSMENT AMOUNTS, AND THE PRODUCTS~~  
14 ~~SHALL BE ADDED TO THE MINIMUM AND MAXIMUM ASSESSMENT~~  
15 ~~AMOUNTS, RESPECTIVELY, AND THE SUMS SHALL BE PRELIMINARY~~  
16 ~~ADJUSTED AMOUNTS.~~

17 ~~(II) THE PRELIMINARY ADJUSTED AMOUNTS SHALL BE~~  
18 ~~ROUNDED TO THE NEAREST \$100 TO DETERMINE THE FINAL~~  
19 ~~ADJUSTED ASSESSMENT AMOUNTS FOR PURPOSES OF SUBSECTIONS~~  
20 ~~(B), (D.1) AND (E).~~

21 ~~(4) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A POSITIVE~~  
22 ~~PERCENTAGE CHANGE IN THE CPI U FOR THE UNITED STATES CITY~~  
23 ~~AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL BE MULTIPLIED~~  
24 ~~BY THE MOST RECENT FINAL ADJUSTED AMOUNTS, AND THE PRODUCTS~~  
25 ~~SHALL BE ADDED TO THE FINAL ADJUSTED AMOUNT OF THE PRIOR YEAR~~  
26 ~~TO CALCULATE THE PRELIMINARY ADJUSTED AMOUNTS FOR THE CURRENT~~  
27 ~~YEAR. THE SUMS SHALL BE ROUNDED TO THE NEAREST \$100 TO~~  
28 ~~DETERMINE THE NEW FINAL ADJUSTED ASSESSMENT AMOUNTS FOR~~  
29 ~~PURPOSES OF SUBSECTIONS (B), (D.1) AND (E).~~

30 ~~(5) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED UNDER~~

1 ~~THIS SUBSECTION SHALL BE MADE IN THE PERIOD BETWEEN NOVEMBER~~  
2 ~~1 AND DECEMBER 15 OF THE YEAR THIS SUBSECTION IS APPLICABLE~~  
3 ~~AND ANNUALLY BETWEEN NOVEMBER 1 AND DECEMBER 15 OF EACH YEAR~~  
4 ~~THEREAFTER.~~

5 ~~(6) THE FINAL ADJUSTED ASSESSMENT AMOUNTS FOR PURPOSES~~  
6 ~~OF SUBSECTIONS (D), (D.1) AND (E) SHALL APPLY JULY 1 FOR THE~~  
7 ~~FISCAL YEAR FOLLOWING THE YEAR IN WHICH THE DETERMINATION~~  
8 ~~REQUIRED UNDER PARAGRAPH (1) IS MADE.~~

9 ~~(7) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL PUBLISH~~  
10 ~~NOTICE IN THE PENNSYLVANIA BULLETIN PRIOR TO JANUARY 31 OF~~  
11 ~~EACH YEAR OF THE ANNUAL PERCENTAGE CHANGE DETERMINED UNDER~~  
12 ~~PARAGRAPH (1) AND THE FINAL ADJUSTED ASSESSMENT AMOUNTS~~  
13 ~~DETERMINED UNDER PARAGRAPHS (3) AND (4) FOR THE FISCAL YEAR~~  
14 ~~BEGINNING THE FIRST DAY OF JULY 1 AFTER PUBLICATION OF THE~~  
15 ~~NOTICE. THE NOTICE SHALL INCLUDE A WRITTEN AND ILLUSTRATIVE~~  
16 ~~EXPLANATION OF THE CALCULATIONS PERFORMED BY THE DEPARTMENT~~  
17 ~~IN ESTABLISHING THE UNADJUSTED OR FINAL ADJUSTED ASSESSMENT~~  
18 ~~AMOUNTS UNDER THIS SUBSECTION FOR THE ENSUING FISCAL YEAR.~~

19 ~~(C) STATEMENT REQUIRED. THE FOLLOWING APPLY:~~

20 ~~(1) EACH PAYMENT BY A TRANSPORTATION NETWORK COMPANY~~  
21 ~~MADE UNDER THIS SECTION SHALL BE SUBMITTED IN CONJUNCTION~~  
22 ~~WITH VERIFIED STATEMENT IDENTIFYING THE TRANSPORTATION~~  
23 ~~NETWORK COMPANY, THE SUBSECTION UNDER WHICH THE PAYMENT IS~~  
24 ~~BEING MADE. FOR PAYMENTS MADE UNDER SUBSECTION (D), THE~~  
25 ~~TRANSPORTATION NETWORK COMPANY SHALL ALSO VERIFY ITS TIER AS~~  
26 ~~PROVIDED IN SUBSECTION (A) AND THAT THE MONEY PAID TO THE~~  
27 ~~AUTHORITY CONSTITUTE THE TRUE AND FULL PAYMENTS REQUIRED BY~~  
28 ~~THIS SECTION. THE AUTHORITY MAY DEVELOP A STANDARD FORM TO BE~~  
29 ~~USED UNDER THIS SECTION. EXCEPT AS PROVIDED IN PARAGRAPH (2),~~  
30 ~~THE AUTHORITY MAY REQUIRE A TRANSPORTATION NETWORK COMPANY TO~~

~~1 PRODUCE SUCH RECORDS NECESSARY TO CONFIRM PROPER PAYMENT HAS  
2 BEEN MADE AND CONDUCT AN AUDIT OF THE BOOKS, ACCOUNTS AND  
3 RECORDS OF THE TRANSPORTATION NETWORK COMPANY RELATED TO  
4 SERVICE IN THE CITY, AS PROVIDED IN THIS CHAPTER.~~

~~5 (2) A TIER 1 TNC THAT HAS PAID THE MAXIMUM TIER AMOUNT  
6 UNDER SUBSECTION (B) AND THE MAXIMUM TIER AMOUNT UNDER  
7 SUBSECTION (E) SHALL NOT BE SUBJECT TO AN AUDIT UNDER THIS  
8 SUBSECTION.~~

~~9 (H) NONDISCLOSURE. ANY INFORMATION DISCLOSED TO THE  
10 AUTHORITY, A SCHOOL DISTRICT, THE STATE TREASURER OR ANY OTHER  
11 INDIVIDUAL OR ENTITY UNDER THIS SECTION, INCLUDING ANY  
12 INFORMATION RELATED TO THE AMOUNTS PAID UNDER SUBSECTION (F),  
13 SHALL BE CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE TO A THIRD  
14 PARTY, INCLUDING THROUGH A REQUEST SUBMITTED UNDER THE ACT OF  
15 FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT TO KNOW LAW.~~

~~16 (I) DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING  
17 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
18 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:~~

~~19 "ACTIVE DRIVER." A DRIVER WHO HAS COMPLETED AT LEAST ONE  
20 PREARRANGED RIDE THAT WAS REQUESTED THROUGH THE TRANSPORTATION  
21 NETWORK COMPANY'S DIGITAL NETWORK IN THE 90 DAYS IMMEDIATELY  
22 PRECEDING THE DATE OF SUBMISSION OF THE COMPANY'S APPLICATION  
23 FOR A TRANSPORTATION NETWORK COMPANY LICENSE OR SUBMISSION OF  
24 ITS APPLICATION FOR RENEWAL.~~

~~25 "TIER 1 TNC." A TRANSPORTATION NETWORK COMPANY THAT, AT THE  
26 TIME OF ISSUANCE OF ITS TRANSPORTATION NETWORK COMPANY LICENSE  
27 OR ITS LICENSE RENEWAL, HAS MORE THAN 10,000 ACTIVE DRIVERS ON  
28 ITS DIGITAL NETWORK.~~

~~29 "TIER 2 TNC." A TRANSPORTATION NETWORK COMPANY THAT, AT THE  
30 TIME OF ISSUANCE OF ITS TRANSPORTATION NETWORK COMPANY LICENSE~~

~~1 OR ITS LICENSE RENEWAL, HAS AT LEAST 7,501 AND NOT MORE THAN~~  
~~2 10,000 ACTIVE DRIVERS ON ITS DIGITAL NETWORK.~~

~~3 "TIER 3 TNC." A TRANSPORTATION NETWORK COMPANY THAT, AT THE~~  
~~4 TIME OF ISSUANCE OF ITS TRANSPORTATION NETWORK COMPANY LICENSE~~  
~~5 OR ITS LICENSE RENEWAL, HAS AT LEAST 1,001 AND NOT MORE THAN~~  
~~6 7,500 ACTIVE DRIVERS ON ITS DIGITAL NETWORK.~~

~~7 "TIER 4 TNC." A TRANSPORTATION NETWORK COMPANY THAT, AT THE~~  
~~8 TIME OF ISSUANCE OF ITS TRANSPORTATION NETWORK COMPANY LICENSE~~  
~~9 OR ITS LICENSE RENEWAL, HAS AT LEAST 1 AND NOT MORE THAN 1,000~~  
~~10 ACTIVE DRIVERS ON ITS DIGITAL NETWORK.~~

11 § 57A22. ASSESSMENT.

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12 (1) A TRANSPORTATION NETWORK COMPANY OPERATING IN A CITY  
13 OF THE FIRST CLASS SHALL PAY TO THE AUTHORITY AN ASSESSMENT  
14 AMOUNT EQUAL TO 1.4% OF THE GROSS RECEIPTS FROM ALL FARES  
15 CHARGED TO ALL PASSENGERS FOR PREARRANGED RIDES THAT  
16 ORIGINATE IN THE CITY. THE AMOUNT ASSESSED SHALL BE REMITTED  
17 ON A QUARTERLY BASIS AND DEPOSITED INTO A RESTRICTED RECEIPTS  
18 ACCOUNT IN THE STATE TREASURY. THE STATE TREASURER SHALL  
19 DISTRIBUTE 66.67% TO A SCHOOL DISTRICT OF THE FIRST CLASS AND  
20 33.33% TO THE PARKING AUTHORITY ON A QUARTERLY BASIS. THIS  
21 SECTION SHALL EXPIRE DECEMBER 31, 2019.

22 (2) IF AN ASSESSMENT IS IMPOSED AFTER DECEMBER 31, 2019,  
23 THE PERCENTAGE AMOUNT MAY NOT BE LESS THAN THE PERCENTAGE  
24 AMOUNT IMPOSED UNDER PARAGRAPH (1).

25 CHAPTER 57B

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26 REGULATION OF TAXICABS AND LIMOUSINES

27 IN CITIES OF THE FIRST CLASS

28 SEC.

29 57B01. LEGISLATIVE FINDINGS.

30 57B02. REGULATION OF TAXICABS AND LIMOUSINES.

1 § 57B01. LEGISLATIVE FINDINGS.

2 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

3 (1) THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PEOPLE  
4 OF THIS COMMONWEALTH ARE DIRECTLY DEPENDENT UPON THE  
5 CONTINUAL ENCOURAGEMENT, DEVELOPMENT, GROWTH AND EXPANSION OF  
6 BUSINESS, INDUSTRY, COMMERCE AND TOURISM.

7 (2) UNEMPLOYMENT, THE SPREAD OF POVERTY AND THE HEAVY  
8 BURDEN OF PUBLIC ASSISTANCE AND UNEMPLOYMENT COMPENSATION CAN  
9 BE AVOIDED BY THE PROMOTION, ATTRACTION, STIMULATION,  
10 DEVELOPMENT AND EXPANSION OF BUSINESS, INDUSTRY, COMMERCE AND  
11 TOURISM IN THIS COMMONWEALTH THROUGH THE DEVELOPMENT OF A  
12 CLEAN, SAFE, RELIABLE AND WELL-REGULATED TAXICAB AND  
13 LIMOUSINE INDUSTRY.

14 (3) PARKING AUTHORITIES IN CITIES OF THE FIRST CLASS ARE  
15 CHARGED WITH REGULATING TAXICAB SERVICE AND LIMOUSINE SERVICE  
16 AND MUST ENSURE THAT REGULATIONS GOVERNING THE TAXICAB AND  
17 LIMOUSINE INDUSTRIES KEEP PACE WITH CHANGES IN THE INDUSTRY.

18 (4) REGULATIONS GOVERNING THE TAXICAB AND LIMOUSINE  
19 INDUSTRIES IN CITIES OF THE FIRST CLASS SHOULD RECOGNIZE  
20 TECHNOLOGICAL DEVELOPMENTS THAT ARE CHANGING THE  
21 TRANSPORTATION MARKETPLACE, ENCOURAGE COMPETITION AND  
22 INNOVATION.

23 (5) WITH THE ENTRY OF TRANSPORTATION NETWORK COMPANIES  
24 THAT COMPETE AGAINST TAXICABS AND LIMOUSINES, IT IS NECESSARY  
25 FOR PARKING AUTHORITIES TO MODERNIZE THEIR REGULATIONS TO  
26 PROMOTE A LEVEL PLAYING FIELD FOR ALL TRANSPORTATION SERVICE  
27 PROVIDERS.

28 § 57B02. REGULATION OF TAXICABS AND LIMOUSINES.

29 (A) DUTY.--THE AUTHORITY SHALL, WITHIN 90 DAYS OF THE  
30 EFFECTIVE DATE OF THIS SECTION, PROMULGATE TEMPORARY

1 REGULATIONS. THE TEMPORARY REGULATIONS SHALL NOT BE SUBJECT TO  
2 THE FOLLOWING:

3 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF  
4 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE  
5 COMMONWEALTH DOCUMENTS LAW.

6 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER  
7 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH  
8 ATTORNEYS ACT.

9 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS  
10 THE REGULATORY REVIEW ACT.

11 (B) EXPIRATION.--THE TEMPORARY REGULATIONS SHALL EXPIRE UPON  
12 THE PROMULGATION OF FINAL-FORM REGULATIONS OR TWO YEARS  
13 FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, WHICHEVER IS  
14 LATER.

15 (C) ISSUES.--THE AUTHORITY SHALL ADDRESS THE FOLLOWING IN  
16 THE TEMPORARY AND FINAL-FORM REGULATIONS REQUIRED BY THIS  
17 SUBSECTION:

18 (1) THE DOLLAR AMOUNT OF ALL FEES AND ASSESSMENTS ISSUED  
19 BY THE AUTHORITY. THE FOLLOWING SHALL APPLY:

20 (I) ANNUAL ASSESSMENTS ISSUED BY THE AUTHORITY TO  
21 MEDALLION OWNERS SHALL NOT EXCEED 1% OF THE ANNUAL GROSS  
22 OPERATING REVENUE OF A MEDALLION OWNER. ASSESSMENTS MAY  
23 ONLY BE MADE UPON THE FARE COLLECTED AND SHALL NOT  
24 INCLUDE TIPS OR TOLLS.

25 (II) ASSESSMENTS MAY BE PAYABLE TO THE AUTHORITY IN  
26 A LUMP SUM OR ON A QUARTERLY BASIS.

27 (2) VEHICLE INSPECTIONS, INCLUDING THE MANNER AND  
28 FREQUENCY OF INSPECTIONS. THE FOLLOWING SHALL APPLY:

29 (I) THE AUTHORITY MAY SUBJECT NO MORE THAN 25% OF  
30 ALL TAXICABS OPERATING IN A CITY OF THE FIRST CLASS TO

1 ANNUAL INSPECTIONS TO VERIFY THAT THE VEHICLE SATISFIES  
2 THE MECHANICAL INSPECTION REQUIRED UNDER 75 PA.C.S. CH.  
3 47 (RELATING TO INSPECTION OF VEHICLES) AND VEHICLE  
4 QUALITY STANDARDS UNDER PARAGRAPH (7).

5 (II) THE FEE CHARGED BY THE AUTHORITY FOR AN ANNUAL  
6 INSPECTION, IN ADDITION TO STATE MINIMUM INSPECTION AND  
7 EMISSIONS TESTING CHARGES, IF ALSO CONDUCTED BY THE  
8 AUTHORITY, SHALL BE \$25.

9 (3) DISPATCHER REQUIREMENTS AND METHODS OF DISPATCH  
10 RECOGNIZING THE AVAILABILITY OF A WIDE VARIETY OF  
11 TECHNOLOGIES THAT FACILITATE TWO-WAY COMMUNICATION. THE  
12 OFFICE OF A CERTIFIED DISPATCHER SHALL NOT BE REQUIRED TO BE  
13 LOCATED WITHIN A CITY OF THE FIRST CLASS.

14 (4) LOG SHEETS AND MANIFESTS, INCLUDING THE STORAGE OF  
15 INFORMATION ON DIGITAL OR OTHER ELECTRONIC DEVICES.

16 (5) METER AND METERING REQUIREMENTS ADDRESSING THE USE  
17 OF A VARIETY OF TECHNOLOGIES, INCLUDING GPS-BASED METERS. THE  
18 FOLLOWING SHALL APPLY:

19 (I) THE AUTHORITY MAY NOT REQUIRE THE USE OF A  
20 PARTICULAR METER.

21 (II) TAXICAB METERS MUST MEET THE FOLLOWING MINIMUM  
22 STANDARDS:

23 (A) HAVE CREDIT CARD PROCESSING CAPABILITIES  
24 THAT WORK IN TANDEM WITH THE METER.

25 (B) BE CAPABLE OF PRODUCING REPORTS.

26 (C) CALCULATE DISTANCE AND TIME.

27 (6) VEHICLE STANDARDS, AGE AND MILEAGE, INCLUDING  
28 PROCEDURES TO PETITION FOR EXCEPTIONS TO AGE AND MILEAGE  
29 STANDARDS. THE FOLLOWING SHALL APPLY:

30 (I) TAXICABS, INCLUDING WHEELCHAIR-ACCESSIBLE

1 VEHICLES, OPERATING IN A CITY OF THE FIRST CLASS SHALL BE  
2 NO MORE THAN EIGHT MODEL YEARS OLD AND HAVE BEEN DRIVEN  
3 NO MORE THAN 350,000 CUMULATIVE MILES.

4 (II) THE AUTHORITY MAY NOT ESTABLISH SERVICE ENTRY  
5 MILEAGE REQUIREMENTS FOR TAXICABS, INCLUDING WHEELCHAIR-  
6 ACCESSIBLE VEHICLES.

7 (III) REQUIREMENTS FOR WHEELCHAIR-ACCESSIBLE  
8 VEHICLES SHALL BE CONSISTENT WITH THE VEHICLE STANDARDS  
9 CONTAINED IN 49 CFR PT. 38 (RELATING TO AMERICANS WITH  
10 DISABILITIES ACT (ADA) ACCESSIBILITY SPECIFICATIONS FOR  
11 TRANSPORTATION VEHICLES).

12 (7) VEHICLE QUALITY STANDARDS, INCLUDING COMPLIANCE WITH  
13 ENVIRONMENTAL, CLEANLINESS, SAFETY AND CUSTOMER SERVICE  
14 STANDARDS, INCLUDING SPECIAL SAFETY REQUIREMENTS FOR  
15 CHILDREN. VEHICLE QUALITY STANDARDS ADOPTED BY THE AUTHORITY  
16 SHALL NOT EXCEED THE REQUIREMENTS OF SECTION 57A09(B) (3) (III)  
17 (RELATING TO VEHICLE INSPECTIONS).

18 (8) MARKING OF TAXICABS, INCLUDING ADVERTISING. VEHICLE  
19 COLORS SHALL NOT BE SUBJECT TO APPROVAL BY THE AUTHORITY.

20 (9) REQUIREMENTS FOR THE PURCHASE AND USE OF SAFETY  
21 CAMERAS, RECOGNIZING THE AVAILABILITY OF A VARIETY OF  
22 TECHNOLOGIES. THE FOLLOWING SHALL APPLY:

23 (I) TAXICABS OPERATING IN A CITY OF THE FIRST CLASS  
24 SHALL HAVE EITHER A PARTITION OR A SAFETY CAMERA.

25 (A) IF A SAFETY CAMERA IS USED, THE AUTHORITY  
26 MAY NOT REQUIRE THE USE OF A SPECIFIC SAFETY CAMERA.

27 (B) IF A SAFETY CAMERA IS USED:

28 (I) IT MUST BE TURNED ON AND OPERATIONAL AT  
29 ALL TIMES THAT A TAXICAB'S MOTOR IS RUNNING.

30 (II) SAFETY CAMERA IMAGES MUST BE MAINTAINED

1                   AND STORED FOR NO LESS THAN 30 DAYS AT THE  
2                   MEDALLION OWNER OR CERTIFIED DISPATCHER'S PLACE  
3                   OF BUSINESS.

4                   (C) SAFETY CAMERA SPECIFICATIONS DEVELOPED BY  
5                   THE AUTHORITY SHALL MEET THE SPECIFICATIONS OF NO  
6                   LESS THAN FIVE SAFETY CAMERAS AVAILABLE FOR PURCHASE  
7                   AT RETAIL.

8                   (II) THE AUTHORITY SHALL BE PERMITTED TO ACCESS  
9                   SAFETY CAMERA IMAGES UPON WRITTEN REQUEST TO A  
10                   CERTIFICATE HOLDER, WHEN NECESSARY:

11                   (A) FOR THE PURPOSE OF INVESTIGATING A FORMAL  
12                   COMPLAINT AGAINST A MEDALLION OWNER OR TAXICAB  
13                   DRIVER.

14                   (B) TO RESPOND TO A SUBPOENA, COURT ORDER OR  
15                   OTHER LEGAL OBLIGATION.

16                   (10) DRIVER QUALIFICATION AND SCREENING, INCLUDING  
17                   REQUIREMENTS FOR CRIMINAL BACKGROUND AND DRIVING HISTORY  
18                   CHECKS. THE FOLLOWING SHALL APPLY:

19                   (I) DRIVERS MUST HAVE A VALID DRIVER'S LICENSE AND  
20                   BE AT LEAST 21 YEARS OF AGE.

21                   (II) THIRD-PARTY TRAINING OF DRIVERS MAY BE  
22                   PERMITTED IF THE THIRD PARTY'S TRAINING PROGRAM IS  
23                   APPROVED BY THE AUTHORITY.

24                   (III) THE FOLLOWING SHALL DISQUALIFY A PERSON FROM  
25                   OPERATING A TAXICAB WITHIN A CITY OF THE FIRST CLASS:

26                   (A) A CONVICTION FOR ANY OF THE FOLLOWING WITHIN  
27                   THE PRECEDING SEVEN YEARS:

28                   (I) DRIVING UNDER THE INFLUENCE OF DRUGS OR  
29                   ALCOHOL.

30                   (II) A FELONY CONVICTION INVOLVING THEFT.

1                   (III) A FELONY CONVICTION FOR FRAUD.

2                   (IV) A FELONY CONVICTION FOR A VIOLATION OF  
3 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN  
4 AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND  
5 COSMETIC ACT.

6                   (B) A CONVICTION FOR ANY OF THE FOLLOWING WITHIN  
7 THE PRECEDING 10 YEARS:

8                   (I) USE OF A MOTOR VEHICLE TO COMMIT A  
9 FELONY.

10                   (II) BURGLARY OR ROBBERY.

11                   (C) A CONVICTION FOR ANY OF THE FOLLOWING AT ANY  
12 TIME:

13                   (I) A SEXUAL OFFENSE UNDER 42 PA.C.S. §  
14 9799.14(C) OR (D) (RELATING TO SEXUAL OFFENSES  
15 AND TIER SYSTEM) OR SIMILAR OFFENSES UNDER THE  
16 LAWS OF ANOTHER JURISDICTION OR UNDER A FORMER  
17 LAW OF THIS COMMONWEALTH.

18                   (II) A CRIME OF VIOLENCE AS DEFINED IN 18  
19 PA.C.S. § 5702 (RELATING TO DEFINITIONS).

20                   (III) AN ACT OF TERROR.

21                   (D) THREE MOVING VIOLATIONS OR A MAJOR VIOLATION  
22 IN THE THREE-YEAR PERIOD PRIOR TO THE DRIVING HISTORY  
23 CHECK.

24                   (IV) MEDALLION OWNERS SHALL BE REQUIRED TO CONDUCT  
25 OR HAVE A THIRD PARTY CONDUCT ANNUAL CRIMINAL BACKGROUND  
26 AND DRIVING HISTORY CHECKS FOR ALL DRIVERS OPERATING  
27 UNDER THE OWNER'S MEDALLION. A DRIVER WHOSE CRIMINAL  
28 BACKGROUND OR DRIVING HISTORY RENDERS THE DRIVER  
29 INELIGIBLE TO OPERATE A TAXICAB SHALL BE IMMEDIATELY  
30 DISQUALIFIED BY THE MEDALLION OWNER.

1           (11) THE OPERATION OF TAXICABS ON A PROVISIONAL BASIS.  
2           THE FOLLOWING SHALL APPLY:

3           (I) A PERSON THAT HAS FILED AN APPLICATION WITH THE  
4           AUTHORITY REQUESTING A TAXICAB DRIVER'S CERTIFICATE MAY  
5           OPERATE A TAXICAB, ON A PROVISIONAL BASIS, FOR UP TO 90  
6           DAYS OR UNTIL A CERTIFICATE IS OBTAINED FROM THE  
7           AUTHORITY, WHICHEVER IS EARLIER.

8           (II) THE FEE FOR A TAXICAB DRIVER'S CERTIFICATE  
9           SHALL BE \$25 BEGINNING ON THE EFFECTIVE DATE OF THIS  
10           SECTION AND ENDING JANUARY 1, 2018. THEREAFTER, ANY  
11           ANNUAL INCREASE TO THE FEE MAY NOT EXCEED THE PERCENTAGE  
12           ANNUAL CHANGE IN THE GROSS DOMESTIC PRODUCT PRICE INDEX,  
13           AS CALCULATED BY THE UNITED STATES DEPARTMENT OF  
14           COMMERCE.

15           (12) TAXICAB RATES AND RATE CHANGE PROCEDURES FOR BOTH  
16           METERS AND DIGITAL PLATFORMS. REGULATIONS SHALL REFLECT  
17           REDUCED OR FLEXIBLE RATES AND TARIFFS AS APPROPRIATE. THE  
18           FOLLOWING SHALL APPLY:

19           (I) DISPATCH COMPANIES MAY OFFER BELOW-TARIFF  
20           PRICING SUCH AS COUPONS, LOYALTY PROGRAMS AND CORPORATE  
21           CLIENT DISCOUNTS.

22           (II) PEAK-HOUR SURCHARGES ARE PERMITTED. THE  
23           FOLLOWING SHALL APPLY:

24                   (A) PEAK-HOUR SURCHARGES SHALL BE ESTABLISHED  
25                   FOLLOWING CONSULTATION WITH THE ADVISORY COMMITTEE  
26                   CREATED UNDER SECTION 5702 (RELATING TO ADVISORY  
27                   COMMITTEE).

28                   (B) PEAK-HOUR SURCHARGES SHALL BE REVIEWED  
29                   ANNUALLY.

30           (13) PROCEDURES FOR CANCELLATION, NO-SHOW AND CLEANING

1 FEES.

2 (14) PENALTIES FOR VIOLATIONS, INCLUDING A PROCESS FOR  
3 CURING A VIOLATION. THE AUTHORITY SHALL:

4 (I) DEVELOP A SCHEDULE OF REDUCED PENALTIES FOR  
5 VIOLATIONS CURED WITHIN 48 HOURS.

6 (II) PROVIDE NOTICE OF A VIOLATION TO A MEDALLION  
7 OWNER AT LEAST FIVE DAYS PRIOR TO DISABLING A TAXICAB  
8 METER OR OTHERWISE DISABLING A TAXICAB'S ABILITY TO  
9 OPERATE.

10 (15) THE USE OF STANDBY VEHICLES. THE AUTHORITY SHALL  
11 DEVELOP AN IMPLEMENTATION PLAN FOR THE USE OF STANDBY  
12 VEHICLES.

13 (16) ADMINISTRATIVE PROCEDURES, INCLUDING:

14 (I) STAMPING OF PENNDOT PAPERWORK.

15 (II) VOLUNTARY SUSPENSION OF A TAXICAB. THE  
16 FOLLOWING SHALL APPLY:

17 (A) THERE SHALL NOT BE A CAP ON THE LENGTH OF  
18 TIME THAT A TAXICAB MAY BE VOLUNTARILY SUSPENDED FROM  
19 SERVICE.

20 (B) REMOVAL OF MEDALLIONS FROM VEHICLES THAT  
21 HAVE BEEN VOLUNTARILY SUSPENDED FROM SERVICE SHALL BE  
22 PERMITTED. AUTHORITY APPROVAL SHALL NOT BE REQUIRED  
23 FOR THE REMOVAL OF A MEDALLION FROM A VOLUNTARILY  
24 SUSPENDED VEHICLE.

25 (III) THE PROHIBITION OF MANDATORY MEDALLION SELLING  
26 PERIODS.

27 (IV) LICENSING AND LICENSE RENEWAL.

28 (V) THE ISSUANCE OF CERTIFICATIONS AND CERTIFICATES  
29 OF PUBLIC CONVENIENCE.

30 (VI) CONSULTATION WITH AND CONSIDERATION OF COMMENTS

1           SUBMITTED BY THE ADVISORY COMMITTEE AS REQUIRED BY  
2           SECTION 5702. THE AUTHORITY SHALL MEET WITH THE ADVISORY  
3           COMMITTEE ON A MONTHLY BASIS.

4           (17) LIMOUSINE RATES AND RATE CHANGE PROCEDURES.  
5           REGULATIONS SHALL REFLECT REDUCED OR FLEXIBLE RATES AND  
6           TARIFFS AS APPROPRIATE.

7           Section 2. The definitions of "common carrier" and "motor  
8 carrier" in section 102 of Title 66 are amended, the definition  
9 of "common carrier by motor vehicle" is amended by adding a  
10 paragraph and the section is amended by adding definitions to  
11 read:

12 § 102. Definitions.

13           Subject to additional definitions contained in subsequent  
14 provisions of this part which are applicable to specific  
15 provisions of this part, the following words and phrases when  
16 used in this part shall have, unless the context clearly  
17 indicates otherwise, the meanings given to them in this section:

18           \* \* \*

19           "Common carrier." Any and all persons or corporations  
20 holding out, offering, or undertaking, directly or indirectly,  
21 service for compensation to the public for the transportation of  
22 passengers or property, or both, or any class of passengers or  
23 property, between points within this Commonwealth by, through,  
24 over, above, or under land, water, or air, and shall include  
25 forwarders, but shall not include contract carriers by motor  
26 vehicles, or brokers, or any bona fide cooperative association  
27 transporting property exclusively for the members of such  
28 association on a nonprofit basis. The term does not include a  
29 transportation network company or a transportation network  
30 company driver.

1 "Common carrier by motor vehicle." Any common carrier who or  
2 which holds out or undertakes the transportation of passengers  
3 or property, or both, or any class of passengers or property,  
4 between points within this Commonwealth by motor vehicle for  
5 compensation, whether or not the owner or operator of such motor  
6 vehicle, or who or which provides or furnishes any motor  
7 vehicle, with or without driver, for transportation or for use  
8 in transportation of persons or property as aforesaid, and shall  
9 include common carriers by rail, water, or air, and express or  
10 forwarding public utilities insofar as such common carriers or  
11 such public utilities are engaged in such motor vehicle  
12 operations, but does not include:

13 \* \* \*

14 (10) A person or entity that is any of the following:

15 (i) A transportation network company.

16 (ii) A transportation network company driver.

17 \* \* \*

18 "Digital network." Any online-enabled application, software,  
19 website or system offered or utilized by a transportation  
20 network company that enables the prearrangement of rides with  
21 transportation network company drivers.

22 "Dual motor carrier." A call or demand carrier operating  
23 under a certificate of public convenience and providing  
24 transportation network services pursuant to a license from the  
25 commission operating in this Commonwealth. The term includes a <--  
26 common carrier, common carrier by motor vehicle or motor  
27 carrier, that uses a digital network to facilitate prearranged  
28 rides. COMMISSION. FOR PURPOSES OF THIS CHAPTER, ONLY <--  
29 CERTIFICATED CALL OR DEMAND CARRIERS MAY FILE AN APPLICATION  
30 WITH THE COMMISSION REQUESTING A LICENSE TO OPERATE A

1 TRANSPORTATION NETWORK SERVICE AS A DUAL MOTOR CARRIER.

2 "DUAL MOTOR CARRIER DRIVER." AN INDIVIDUAL WHO: <--

3 (1) RECEIVES CONNECTIONS TO POTENTIAL PASSENGERS AND  
4 RELATED SERVICES FROM A DUAL MOTOR CARRIER IN EXCHANGE FOR  
5 PAYMENT OF A FEE TO THE DUAL MOTOR CARRIER; AND

6 (2) USES A PERSONAL VEHICLE TO OFFER OR PROVIDE A  
7 PREARRANGED RIDE TO PASSENGERS UPON CONNECTION THROUGH A  
8 DIGITAL NETWORK CONTROLLED BY A DUAL MOTOR CARRIER IN RETURN  
9 FOR COMPENSATION OR PAYMENT OF A FEE.

10 "DYNAMIC PRICING." A TRANSPORTATION NETWORK COMPANY'S  
11 PRACTICE OF ADJUSTING THE CALCULATION USED TO DETERMINE FARES AT  
12 CERTAIN TIMES AND LOCATIONS IN RESPONSE TO THE SUPPLY OF  
13 TRANSPORTATION NETWORK COMPANY DRIVERS AND THE DEMAND FOR  
14 TRANSPORTATION NETWORK SERVICES.

15 \* \* \*

16 "Motor carrier." A common carrier by motor vehicle, and a  
17 contract carrier by motor vehicle. The term does not include a  
18 transportation network company or a transportation network  
19 company driver.

20 \* \* \*

21 "Personal vehicle." As follows:

22 (1) A vehicle that is used by a transportation network  
23 company driver and is owned, leased or otherwise authorized  
24 for use by the transportation network company driver.

25 (2) The term does not include:

26 (i) a call or demand service or limousine service as  
27 defined under 53 Pa.C.S. § 5701 (relating to  
28 definitions);

29 (ii) a common carrier, common carrier by motor  
30 vehicle or motor carrier;

1           (iii) a broker or contract carrier by motor vehicle  
2           as defined under section 2501(b) (relating to declaration  
3           of policy and definitions); or  
4           (iv) a driver operating under ridesharing           <--  
5           arrangement or VEHICLE OPERATED UNDER A RIDESHARING           <--  
6           ARRANGEMENT OR BY A ridesharing operator as defined under  
7           the act of December 14, 1982 (P.L.1211, No.279), entitled  
8           "An act providing for ridesharing arrangements and  
9           providing that certain laws shall be inapplicable to  
10           ridesharing arrangements."  
11           "Prearranged ride." The provision of transportation by a  
12           transportation network company driver to a passenger, beginning  
13           when a transportation network company driver accepts a ride  
14           requested by a passenger through a digital network, continuing  
15           while the driver transports the passenger and ending when the  
16           last passenger departs from the personal vehicle. A prearranged  
17           ride does not include:  
18           (1) transportation provided using a call or demand  
19           service or limousine service as defined under 53 Pa.C.S. §  
20           5701 (relating to definitions) ;  
21           (2) a common carrier, common carrier by motor vehicle or  
22           motor carrier, unless the service A PREARRANGED RIDE is           <--  
23           provided by a dual motor carrier;  
24           (3) a broker or contract carrier by motor vehicle as  
25           defined under section 2501(b); or  
26           (4) a driver operating under A ridesharing arrangement           <--  
27           or A ridesharing operator. AS DEFINED UNDER THE ACT OF           <--  
28           DECEMBER 14, 1982 (P.L.1211, NO.279), ENTITLED "AN ACT  
29           PROVIDING FOR RIDESHARING ARRANGEMENTS AND PROVIDING THAT  
30           CERTAIN LAWS SHALL BE INAPPLICABLE TO RIDESHARING

1 ARRANGEMENTS."

2 \* \* \*

3 "Transportation network company." As follows: <--

4 (1) A person that meets all of the following:

5 (i) Is licensed by the commission.

6 (ii) Operates in this Commonwealth.

7 (iii) Uses a digital network to facilitate  
8 prearranged rides.

9 (iv) If rides are initiated in a city of the first  
10 class, obtains a certificate to operate from the parking  
11 authority of the city of the first class.

12 (2) Dual motor carriers licensed by the commission under  
13 section 2604 (relating to licenses, certificates and  
14 regulations) that use a digital network to facilitate  
15 prearranged rides.

16 "Transportation network company driver." An individual who:

17 (1) receives connections to potential passengers and  
18 related services from a transportation network company,  
19 including a dual motor carrier licensed by the commission, in  
20 exchange for payment of a fee to the transportation network  
21 company; and

22 (2) uses a personal vehicle to offer or provide a  
23 prearranged ride to passengers upon connection through a  
24 digital network controlled by a transportation network  
25 company in return for compensation or payment of a fee.

26 "TRANSPORTATION NETWORK COMPANY" OR "COMPANY." A PERSON OR <--  
27 ENTITY LICENSED BY THE COMMISSION TO OPERATE A TRANSPORTATION  
28 NETWORK SERVICE IN THIS COMMONWEALTH AND THAT USES A DIGITAL  
29 NETWORK TO FACILITATE PREARRANGED RIDES. THE FOLLOWING SHALL  
30 APPLY:

1 (1) THE TERM SHALL INCLUDE A DUAL MOTOR CARRIER.

2 (2) THE TERM SHALL NOT INCLUDE:

3 (I) A COMMON CARRIER, COMMON CARRIER BY MOTOR  
4 VEHICLE OR MOTOR CARRIER OTHER THAN A DUAL MOTOR CARRIER.

5 (II) A COMPANY PROVIDING TRANSPORTATION UNDER A  
6 RIDESHARING ARRANGEMENT, AS DEFINED UNDER THE ACT OF  
7 DECEMBER 14, 1982 (P.L.1211, NO.279), ENTITLED "AN ACT  
8 PROVIDING FOR RIDESHARING ARRANGEMENTS AND PROVIDING THAT  
9 CERTAIN LAWS SHALL BE INAPPLICABLE TO RIDESHARING  
10 ARRANGEMENTS."

11 "TRANSPORTATION NETWORK COMPANY DRIVER" OR "DRIVER." AS  
12 FOLLOWS:

13 (1) AN INDIVIDUAL WHO:

14 (I) RECEIVES CONNECTIONS TO POTENTIAL PASSENGERS AND  
15 RELATED SERVICES FROM A TRANSPORTATION NETWORK COMPANY IN  
16 EXCHANGE FOR PAYMENT OF A FEE TO THE TRANSPORTATION  
17 NETWORK COMPANY; AND

18 (II) USES A PERSONAL VEHICLE TO OFFER OR PROVIDE A  
19 PREARRANGED RIDE TO PASSENGERS UPON CONNECTION THROUGH A  
20 DIGITAL NETWORK CONTROLLED BY A TRANSPORTATION NETWORK  
21 COMPANY IN RETURN FOR COMPENSATION OR PAYMENT OF A FEE.

22 (2) THE TERM SHALL INCLUDE A DUAL MOTOR CARRIER DRIVER.

23 (3) THE TERM SHALL NOT INCLUDE AN INDIVIDUAL WHO  
24 RECEIVES ONLY REIMBURSEMENT FOR ACTUAL EXPENSES INCURRED  
25 DURING THE PROVISION OF TRANSPORTATION.

26 "Transportation network company passenger" or "passenger." A  
27 person who uses a digital network to connect with a  
28 transportation network driver who provides prearranged rides to  
29 the passenger in the driver's personal vehicle between points  
30 chosen by the passenger.

"Transportation network service."

<--

~~(1) A service which meets all of the following:~~

~~(i) Matches a passenger and transportation network company driver using a digital network in advance of a prearranged ride.~~

~~(ii) Is rendered on an exclusive basis. For purposes of this paragraph, the term "exclusive basis" means a transportation network service on a given trip when each individual, party or group may not be required to ride with another passenger on that trip unless the individual, party or group consents to additional passengers on the trip.~~

~~(2) The term includes transportation of a passenger following connection with a transportation network company driver through a digital network.~~

"TRANSPORTATION NETWORK SERVICE" OR "SERVICE."

<--

(1) A SERVICE WHICH MEETS ALL OF THE FOLLOWING:

(I) MATCHES A PASSENGER AND TRANSPORTATION NETWORK COMPANY DRIVER USING A DIGITAL NETWORK IN ADVANCE OF A PREARRANGED RIDE.

(II) IS CHARACTERIZED BY A TRANSPORTATION NETWORK COMPANY DRIVER OFFERING OR PROVIDING A PREARRANGED RIDE TO A PASSENGER.

(III) IS RENDERED ON AN EXCLUSIVE BASIS. FOR PURPOSES OF THIS PARAGRAPH, THE TERM "EXCLUSIVE BASIS" MEANS A TRANSPORTATION NETWORK SERVICE ON A GIVEN PREARRANGED RIDE WHEN EACH INDIVIDUAL, PARTY OR GROUP MAY NOT BE REQUIRED TO RIDE WITH ANOTHER PASSENGER ON THAT PREARRANGED RIDE UNLESS THE INDIVIDUAL, PARTY OR GROUP CONSENTS TO ADDITIONAL PASSENGERS ON THE PREARRANGED

1 RIDE.

2 (2) THE TERM INCLUDES THE PERIODS WHEN:

3 (I) A DRIVER IS LOGGED ONTO A TRANSPORTATION NETWORK  
4 COMPANY'S DIGITAL NETWORK AND AVAILABLE FOR SERVICE.

5 (II) A DRIVER IS CONDUCTING A PREARRANGED RIDE.

6 \* \* \*

7 Section 3. Title 66 is amended by adding a section to read:

8 § 512.1. Power of commission to confiscate, impound and sell  
9 vehicles.

10 (a) Authorization.--The commission is empowered to  
11 confiscate a vehicle and impound and sell a vehicle if the  
12 vehicle is used to provide a prearranged ride following  
13 disqualification under section 2609(b) (relating to fines and  
14 penalties) or suspension or revocation of a transportation  
15 network company's license under this title.

16 ~~(b) Return of vehicle. The vehicle may be returned to the~~ <--  
17 ~~registered owner upon satisfaction of all civil penalties~~  
18 ~~imposed against the transportation network company and the~~  
19 ~~driver of a confiscated vehicle and payment of the costs of the~~  
20 ~~commission associated with confiscation and impoundment. Failure~~  
21 ~~to pay fines, penalties and costs may result in forfeiture and~~  
22 ~~sale of the vehicle.~~

23 (B) RETURN OF VEHICLE.--THE VEHICLE MAY BE RETURNED TO THE <--  
24 REGISTERED OWNER UPON PAYMENT OF THE COSTS OF THE COMMISSION  
25 ASSOCIATED WITH CONFISCATION AND IMPOUNDMENT. FAILURE OF A  
26 TRANSPORTATION NETWORK COMPANY, DRIVER OF A CONFISCATED VEHICLE  
27 OR REGISTERED OWNER TO PAY THESE COSTS MAY RESULT IN FORFEITURE  
28 AND SALE OF THE VEHICLE.

29 (c) Commission duties.--The commission shall establish THE <--  
30 FOLLOWING by regulation or order the following: <--

1           (1) grounds for confiscation, impoundment or sale;  
2           (2) procedures for satisfaction of outstanding fines,  
3           penalties and costs and notice and hearing; and  
4           (3) if the fines, penalties and costs are not timely  
5           paid, the timing of the sale and the allocation of proceeds  
6           from the sale of impounded vehicles.

7           (D) DISPOSITION OF SALE PROCEEDS.--THE PROCEEDS OF THE SALE <--  
8           OF A VEHICLE BY THE COMMISSION UNDER THIS SECTION SHALL FIRST BE  
9           USED TO SATISFY ANY LIENS ON THE VEHICLE OR, IF THE VEHICLE IS  
10           SUBJECT TO A LEASE, TO PAY THE LESSOR DAMAGES DUE TO LESSOR UPON  
11           DEFAULT BY THE LESSEE AS PROVIDED BY 13 PA.C.S. § 2A527  
12           (RELATING TO LESSOR'S RIGHTS TO DISPOSE OF GOODS) PRIOR TO  
13           PAYING ANY FINES, PENALTIES AND COSTS.

14           Section 4. The definition of "broker" in section 2501(b) of  
15 Title 66 is amended and paragraph (2) of the definition of  
16 "contract carrier by motor vehicle" is amended by adding a  
17 subparagraph to read:

18 § 2501. Declaration of policy and definitions.

19           \* \* \*

20           (b) Definitions.--The following words and phrases when used  
21 in this part shall have, unless the context clearly indicates  
22 otherwise, the meanings given to them in this subsection:

23           "Broker." Any person or corporation not included in the term  
24 "motor carrier" and not a bona fide employee or agent of any  
25 such carrier, or group of such carriers, who or which, as  
26 principal or agent, sells or offers for sale any transportation  
27 by a motor carrier, or the furnishing, providing, or procuring  
28 of facilities therefor, or negotiates for, or holds out by  
29 solicitation, advertisement, or otherwise, as one who sells,  
30 provides, furnishes, contracts, or arranges for such

1 transportation, or the furnishing, providing, or procuring of  
2 facilities therefor, other than as a motor carrier directly or  
3 jointly, or by arrangement with another motor carrier, and who  
4 does not assume custody as a carrier. The term does not include  
5 a transportation network company or a transportation network  
6 company driver.

7 "Contract carrier by motor vehicle."

8 \* \* \*

9 (2) The term "contract carrier by motor vehicle" does  
10 not include:

11 \* \* \*

12 (x) A transportation network company or a  
13 transportation network company driver.

14 Section 5. Title 66 is amended by adding chapters to read:

15 CHAPTER 24

16 MOTOR CARRIER REGULATIONS

17 Sec.

18 2401. Regulation of taxis and limousines.

19 ~~2402. Regulations.~~

20 ~~2403. Lease to own.~~

21 ~~§ 2401. Regulation of taxis and limousines.~~

22 ~~(a) Promulgation. The commission shall, within 150 days of~~  
23 ~~the effective date of this section, promulgate temporary~~  
24 ~~regulations. The temporary regulations shall not be subject to~~  
25 ~~the following:~~

26 ~~(1) Sections 201, 202, 203, 204 and 205 of the act of~~  
27 ~~July 31, 1968 (P.L.769, No.240), referred to as the~~  
28 ~~Commonwealth Documents Law.~~

29 ~~(2) Sections 204(b) and 301(10) of the act of October~~  
30 ~~15, 1980 (P.L.950, No.164), known as the Commonwealth~~

<--

1 ~~Attorneys Act.~~

2 ~~(3) The act of June 25, 1982 (P.L. 633, No.181), known as~~  
3 ~~the Regulatory Review Act.~~

4 ~~(b) Expiration. The temporary regulations under subsection~~  
5 ~~(a) shall expire upon the promulgation of final form regulations~~  
6 ~~or two years following the effective date of this section,~~  
7 ~~whichever is earlier.~~

8 ~~§ 2402. Regulations.~~

9 ~~The temporary regulations under section 2401 (relating to~~  
10 ~~regulation of taxis and limousines) shall address all of the~~  
11 ~~following:~~

12 ~~(1) The use of log sheets and manifests, including the~~  
13 ~~storage of information on digital or other electronic~~  
14 ~~devices.~~

15 ~~(2) Metering addressing the use of a variety of~~  
16 ~~technologies.~~

17 ~~(3) Vehicles' age and mileage, including procedures to~~  
18 ~~petition for exceptions to age and mileage standards.~~

19 ~~(4) Marking of taxis, including advertising.~~

20 ~~(5) The operation of lease to own taxi and limousine~~  
21 ~~equipment.~~

22 ~~(6) Taxi tariffs, including rate and tariff change~~  
23 ~~procedures for both meters and digital platforms. Regulations~~  
24 ~~shall address cancellations, no shows and cleaning fees.~~  
25 ~~Regulations shall reflect reduced or flexible rates and~~  
26 ~~tariffs as appropriate.~~

27 ~~(7) Limousine tariffs, including rate and tariff change~~  
28 ~~procedures. Regulations shall reflect reduced or flexible~~  
29 ~~rates and tariffs as appropriate.~~

30 ~~(8) Driver requirements, including criminal history~~

1 ~~background check requirements and driving record~~  
2 ~~requirements.~~

3 ~~(9) Vehicle requirements, including compliance with~~  
4 ~~environmental, cleanliness, safety and customer service~~  
5 ~~standards, including special safety requirements for~~  
6 ~~children.~~

7 ~~(10) Requirements for continuous service and exceptions~~  
8 ~~for unexpected demand and personal health and safety.~~

9 ~~(11) Insurance requirements for taxis, limousines and~~  
10 ~~dual motor carriers. The commission shall take into~~  
11 ~~consideration the amount required for dual motor carriers.~~

12 ~~§ 2403. Lease to own.~~

13 ~~(a) Insurance CONDITIONS. A taxi or limousine service may~~ <--  
14 ~~enter into conditional lease or sale agreements with drivers of~~  
15 ~~a vehicle if the taxi or limousine service does the following:~~

16 ~~(1) Provides required levels of insurance on the~~  
17 ~~vehicle.~~

18 ~~(2) Ensures that the vehicle is subjected to and~~  
19 ~~complies with all vehicle inspection requirements.~~

20 ~~(3) Ensures that the driver complies with all the~~  
21 ~~requirements of this title AND COMMISSION REGULATIONS.~~ <--

22 ~~(b) Responsibility. The taxi or limousine service shall not~~  
23 ~~be required to provide insurance to a driver who completes~~  
24 ~~purchase of the vehicle and OR who no longer provides driver~~ <--  
25 ~~services to the taxi or limousine company.~~

26 ~~§ 2401. REGULATION OF TAXIS AND LIMOUSINES.~~ <--

27 ~~THE TEMPORARY REGULATIONS PROMULGATED UNDER SECTION 1602-M OF~~  
28 ~~THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL~~  
29 ~~CODE, SHALL EXPIRE UPON THE PROMULGATION OF FINAL-FORM~~  
30 ~~REGULATIONS OR TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS~~

1 SECTION, WHICHEVER IS LATER.

2 CHAPTER 26

3 TRANSPORTATION NETWORK SERVICE

4 Sec.

5 2601. Definitions.

6 2602. Exclusions.

7 2603. Applicability of certain laws and prohibition.

8 2603.1. Financial responsibility requirements.

9 2603.2. Disclosures.

10 2604. Licenses, ~~certificates~~ and regulations.

<--

11 2604.1. Licensure requirements.

12 2604.2. Records.

13 2604.3. ~~Discrimination in service~~ SERVICE STANDARDS.

<--

14 2604.4. Dual motor carrier authority.

15 2604.5. Lienholder AND LESSOR requirements.

<--

16 2605. Transportation network company drivers.

17 2606. Personal vehicle requirements.

18 2607. Rates and forms of compensation.

19 2608. Nondisclosure of passenger information.

20 2609. Fines and penalties.

21 2610. Commission costs.

22 2611. ~~City of the first class.~~

<--

23 § 2601. Definitions.

24 The following words and phrases when used in this chapter  
25 shall have the meanings given to them in this section unless the  
26 context clearly indicates otherwise:

27 ~~"Authority." A parking authority of a city of the first~~

<--

28 ~~class.~~

29 ~~"Driver." A transportation network company driver.~~

30 "License." Proof of the commission's approval authorizing a

1 transportation network company to operate a transportation  
2 network service in this Commonwealth in accordance with this  
3 chapter. The term does not include a certificate of public  
4 convenience as described under Chapter 11 (relating to  
5 certificates of public convenience).

6 § 2602. Exclusions.

7 (a) Ridesharing.--A transportation network company may not  
8 be considered a ridesharing arrangement or ridesharing operator  
9 under the act of December 14, 1982 (P.L.1211, No.279), entitled  
10 "An act providing for ridesharing arrangements and providing  
11 that certain laws shall be inapplicable to ridesharing  
12 arrangements."

13 (b) Other sources.--A transportation network company may not  
14 be considered a company or service that connects an individual  
15 through a digital network for the purpose of transportation to a  
16 common destination when the transportation service does not  
17 include the services of a driver or where a driver is  
18 compensated only for actual expenses incurred for rental, lease <--  
19 or fuel costs of the vehicle.

20 ~~(c) Limitation. A transportation network company shall not~~  
21 ~~be deemed to control, direct or manage the personal vehicles of~~  
22 ~~transportation network company drivers that connect to a~~  
23 ~~transportation network company's network.~~

24 § 2603. Applicability of certain laws and prohibition.

25 (a) CITIES OF THE FIRST CLASS.--THE PROVISIONS OF THIS <--  
26 CHAPTER SHALL NOT APPLY TO TRANSPORTATION NETWORK COMPANIES,  
27 TRANSPORTATION NETWORK COMPANY DRIVERS OR TRANSPORTATION NETWORK  
28 SERVICES ORIGINATING WITHIN A CITY OF THE FIRST CLASS.

29 (B) Motor carrier laws.--Except as otherwise provided under  
30 this chapter, the following laws and regulations of this

1 Commonwealth may not apply to a transportation network company  
2 or transportation network company driver:

3 (1) This title, except that the commission may regulate  
4 transportation network companies under Chapters 3 (relating  
5 to public utility commission), 5 (relating to powers and  
6 duties), 7 (relating to procedure on complaints), 15  
7 (relating to service and facilities) and 33 (relating to  
8 violations and penalties) and this chapter. If a subject is  
9 regulated under this chapter in addition to another chapter  
10 under this paragraph, this chapter shall apply.

11 (2) 53 Pa.C.S. (relating to municipalities generally).

12 (3) Laws and regulations containing insurance  
13 requirements for motor carriers, except as provided in  
14 section ~~2604.1(b)(8)~~ 2604.1(B)(9) (relating to licensure <--  
15 requirements).

16 (4) Laws and regulations imposing a greater standard of  
17 care on motor carriers than that imposed on other drivers or  
18 owners of motor vehicles.

19 (5) Laws and regulations imposing special equipment  
20 requirements and accident reporting requirements on motor  
21 carriers.

22 (b) Municipal licenses and taxes.--Except as otherwise  
23 provided, a municipality may not impose a tax on or require a  
24 license for a transportation network company or transportation  
25 network service.

26 § 2603.1. Financial responsibility requirements.

27 (a) Requirements.--

28 (1) Upon the effective date of this section, a  
29 transportation network company driver or transportation  
30 network company on the driver's behalf shall maintain primary

1 automobile insurance that recognizes that the driver is a  
2 transportation network company driver or otherwise uses a  
3 vehicle to transport passengers for compensation and covers  
4 the driver when:

5 (i) the driver is logged on to the digital network;

6 and

7 (ii) the driver is engaged in a prearranged ride.

8 (2) Unless otherwise required by order or regulation of  
9 the commission, the following automobile insurance  
10 requirements shall apply to the transportation network  
11 company driver or the transportation network company on the  
12 driver's behalf while a participating transportation network  
13 company driver is logged on to the digital network and is  
14 available to receive transportation requests but is not  
15 engaged in a prearranged ride:

16 (i) Primary automobile liability insurance in the  
17 amount of at least \$50,000 for death and bodily injury  
18 per person, \$100,000 for death and bodily injury per  
19 incident and \$25,000 for property damage.

20 (ii) First-party medical benefits, including \$25,000  
21 for pedestrians and \$5,000 for a driver.

22 (iii) The coverage requirements may be satisfied by  
23 any of the following:

24 (A) automobile insurance maintained by the  
25 transportation network company driver;

26 (B) automobile insurance maintained by the  
27 transportation network company; or

28 (C) any combination of clauses (A) and (B).

29 (3) Unless otherwise required by order or regulation of  
30 the commission, the following automobile insurance

1 requirements shall apply while a transportation network  
2 company driver is engaged in a prearranged ride:

3 (i) Primary automobile liability insurance that  
4 provides at least \$500,000 for death, bodily injury and  
5 property damage.

6 (ii) First-party medical benefits as required by 75  
7 Pa.C.S. § 1711 (relating to required benefits) on a per-  
8 incident basis for incidents involving a transportation  
9 network company driver's operation of a personal vehicle  
10 while engaged in a prearranged ride, including \$25,000  
11 for passengers and pedestrians and \$5,000 for a driver.

12 (iii) The coverage requirements may be satisfied by  
13 any of the following:

14 (A) automobile insurance maintained by the  
15 transportation network company driver;

16 (B) automobile insurance maintained by the  
17 transportation network company; or

18 (C) any combination of clauses (A) and (B).

19 ~~(3.1) Notwithstanding paragraphs (1), (2) and (3),~~ <--  
20 ~~insurance required for dual motor carriers that are~~  
21 ~~transportation network company vehicles shall be the same as~~  
22 ~~insurance coverage for taxis. The commission may increase the~~  
23 ~~insurance coverage for dual motor carriers and taxis, as~~  
24 ~~appropriate.~~

25 ~~(3.1) A TRANSPORTATION NETWORK COMPANY OR TRANSPORTATION~~ <--  
26 ~~NETWORK COMPANY DRIVER SHALL MAINTAIN INSURANCE COVERAGE TO~~  
27 ~~REPAIR A PERSONAL VEHICLE IN THE EVENT OF AN ACCIDENT WHILE~~  
28 ~~PROVIDING TRANSPORTATION NETWORK SERVICE. THE AMOUNT OF~~  
29 ~~COVERAGE SHALL BE BASED UPON THE VALUE OF THE VEHICLE AS~~  
30 ~~DETERMINED BY KELLY BLUE BOOK OR OTHER SOURCE, AS APPROVED BY~~

1 THE COMMISSION. (RESERVED). <--

2 (3.2) NOTWITHSTANDING PARAGRAPHS (1), (2) AND (3),  
3 INSURANCE COVERAGE REQUIRED FOR DUAL MOTOR CARRIER DRIVERS  
4 THAT ARE USING PERSONAL VEHICLES TO PROVIDE TRANSPORTATION  
5 NETWORK SERVICES SHALL BE THE SAME AS THE INSURANCE COVERAGE  
6 REQUIRED FOR TAXIS. THE COMMISSION ~~SHALL~~ MAY REVIEW AND <--  
7 INCREASE THE INSURANCE COVERAGE REQUIREMENTS FOR DUAL MOTOR  
8 CARRIERS AND TAXIS AS NECESSARY IN THE PUBLIC INTEREST.

9 (4) If insurance maintained by a driver under paragraph  
10 (2) or (3) has lapsed or does not provide the required  
11 coverage, insurance maintained by a transportation network  
12 company shall provide the coverage required by this section  
13 beginning with the first dollar of a claim, and the  
14 transportation network company's insurer shall have the duty  
15 to defend such claim.

16 (5) Coverage under an automobile insurance policy  
17 maintained under this section shall be primary and not be  
18 dependent on a personal automobile insurer first denying a  
19 claim nor shall a personal automobile insurance policy be  
20 required to first deny a claim.

21 (6) The automobile insurance required ~~by~~ FOR a <--  
22 transportation network company under paragraph (4) shall be  
23 evidenced by the filing of a certificate of insurance. The  
24 certificate of insurance must be filed, WITH THE COMMISSION, <--  
25 by the insurance carrier and must be in the form specified by  
26 the commission by order or regulation.

27 (7) Insurance required under this subsection shall be  
28 placed with an insurer that has obtained a certificate of  
29 authority under section 208 of the act of May 17, 1921  
30 (P.L.789, No.285), known as The Insurance Department Act of

1 1921, or a surplus lines insurer eligible under section 1605  
2 of the act of May 17, 1921 (P.L.682, No.284), known as The  
3 Insurance Company Law of 1921.

4 (8) Insurance satisfying the requirements of this  
5 section shall be deemed to satisfy the financial  
6 responsibility requirement for a motor vehicle under 75  
7 Pa.C.S. Ch. 17 (relating to financial responsibility).

8 (9) A transportation network company driver shall carry  
9 proof of coverage satisfying paragraphs (2) and (3) when the  
10 driver uses a vehicle in connection with a digital network.  
11 In the event of an accident, a transportation network company  
12 driver shall provide the proof of insurance coverage to the  
13 directly interested parties, automobile insurers and  
14 investigating police officers under 75 Pa.C.S. § 1786  
15 (relating to required financial responsibility). A  
16 transportation network company driver shall also disclose to  
17 directly interested parties, automobile insurers and  
18 investigating police officers whether the driver was logged  
19 on to the digital network or on a prearranged ride at the  
20 time of an accident.

21 (10) It shall be the sole and exclusive responsibility  
22 of a transportation network company to ensure that automobile  
23 insurance coverage required to be carried by the  
24 transportation network company driver under this section is  
25 in force prior to permitting a transportation network company  
26 driver to provide transportation network service.

27 (b) Automobile insurance provisions.--

28 (1) Insurers that write automobile insurance in this  
29 Commonwealth may exclude any and all coverage afforded under  
30 the policy issued to an owner or operator of a personal

1 vehicle for any loss or injury that occurs while a driver is  
2 logged on to a digital network or while a driver provides a  
3 prearranged ride. The right to exclude all coverage may apply  
4 to any coverage included in an automobile insurance policy,  
5 including, but not limited to:

6 (i) liability coverage for bodily injury and  
7 property damage;

8 (ii) uninsured and underinsured motorist coverage;

9 (iii) medical payments coverage;

10 (iv) comprehensive physical damage coverage;

11 (v) collision physical damage coverage; and

12 (vi) first-party medical benefits required under  
13 subsection (a) (2) (ii).

14 (2) Notwithstanding any requirement under 75 Pa.C.S. Ch.  
15 17, exclusions under paragraph (1) shall apply. Nothing in  
16 this section shall require that a personal automobile  
17 insurance policy provide coverage while the driver is logged  
18 on to a digital network, while the driver is engaged in a  
19 prearranged ride or while the driver otherwise uses a vehicle  
20 to transport passengers for compensation. Nothing in this  
21 subsection shall be deemed to preclude an insurer from  
22 providing coverage for the personal vehicle if the insurer  
23 chooses to do so by contract or endorsement.

24 (3) Automobile insurers that exclude the coverage  
25 described in paragraph (1) shall have no duty to defend or  
26 indemnify any claim expressly excluded under the coverage.  
27 Nothing in this section shall be deemed to invalidate or  
28 limit an exclusion contained in a personal insurance policy,  
29 including any policy in use or approved for use in this  
30 Commonwealth prior to the enactment of this section, that

1 excludes coverage for vehicles used to carry persons or  
2 property for a charge or available for hire by the public.

3 (4) An automobile insurer that defends or indemnifies a  
4 claim against a driver that is excluded under the terms of  
5 its policy shall have a right of contribution against other  
6 insurers that provide automobile insurance to the same driver  
7 in satisfaction of the coverage requirements of subsection  
8 (a) at the time of loss.

9 (5) In a claims coverage investigation, transportation  
10 network companies and any insurer potentially providing  
11 coverage under subsection (a) shall cooperate to facilitate  
12 the exchange of relevant information with directly involved  
13 parties and any insurer of the transportation network company  
14 driver, if applicable, including the precise times that a  
15 transportation network company driver logged on and logged  
16 off of the digital network in the 12-hour period immediately  
17 preceding and in the 12-hour period immediately following the  
18 accident and disclose a clear description of the coverage,  
19 exclusions and limits provided under any automobile insurance  
20 maintained under subsection (a).

21 (c) Waiver of liability prohibited.--

22 (1) A transportation network company or transportation  
23 network company driver may not request or require a passenger  
24 to sign a waiver of potential liability for a loss of  
25 personal property or injury.

26 (2) A transportation network company may not request or  
27 require a transportation network company driver to sign a  
28 waiver of potential liability for a loss of personal property  
29 or injury.

30 (3) For the purposes of this subsection, signing a

1 waiver shall include requiring a prospective customer to  
2 agree to the terms and conditions required to download a  
3 digital application as a condition for obtaining  
4 transportation network services.

5 § 2603.2. Disclosures.

6 (a) Requirement.--A disclosure under THE DISCLOSURES <--  
7 REQUIRED BY this section shall be provided in writing to all  
8 transportation network company drivers prior to the designation  
9 of an individual as a transportation network company driver.  
10 Transportation network companies shall retain written or  
11 electronic verification records of the receipt of disclosures  
12 required under this section by the transportation network  
13 driver.

14 (b) Insurance and lienholder disclosures.--The  
15 transportation network company shall provide the following  
16 disclosures:

17 (1) Insurance coverage, including the types of coverage  
18 and the limits for each coverage that the transportation  
19 network company provides while the transportation network  
20 company driver uses a vehicle in connection with a digital  
21 network.

22 (2) Notice that the terms of the transportation network  
23 company driver's own automobile insurance policy might not  
24 provide any coverage while the driver is logged on to the  
25 digital network and available to receive transportation  
26 requests or is engaged in a prearranged ride.

27 (3) If a transportation network company driver does not  
28 have the type of policy required under section 2603.1  
29 (relating to financial responsibility requirements), notice  
30 that the transportation network company will provide all

1 required insurance.

2 (4) The accident protocol required under section 2605(b)

3 (5) (relating to transportation network company drivers).

4 (5) Notice of lienholder AND LESSOR requirements under <--

5 section 2604.5 (relating to lienholder AND LESSOR <--

6 requirements).

7 (6) Notice that the driver must notify the following:

8 (i) The driver's auto insurance company OR INSURANCE <--

9 AGENT that the driver will be using the vehicle to

10 provide services under this chapter.

11 (II) THE LIENHOLDER OR LESSOR THAT THE DRIVER WILL <--

12 BE USING THE VEHICLE TO PROVIDE SERVICES UNDER THIS

13 CHAPTER.

14 ~~(ii)~~ (III) If the driver will not be using a vehicle <--

15 owned and insured by the driver, the disclosures under

16 paragraphs (b)(1), (2) and (3) shall be provided to the

17 policyholder and to the owner of the vehicle.

18 § 2604. Licenses, ~~certificates~~ and regulations. <--

19 (a) Requirements for transportation network

20 companies.--A transportation network company may not

21 operate in this Commonwealth unless it holds and maintains a

22 license issued by the commission.

23 (b) Certificate of public convenience.--A license under this

24 chapter shall not act as a certificate of public convenience

25 under Chapter 11 (relating to certificates of public

26 convenience). The commission shall provide for all licensure

27 regulation, policies and orders necessary to regulate

28 transportation network services under this chapter and to

29 enforce the provisions of this chapter, including all of the

30 following:

1       (1) Rights, privileges and duties of transportation  
2 network companies and drivers.

3       (2) Suspension, revocation or renewal requirements for  
4 transportation network companies.

5       (3) Conditions on a license necessary to ensure  
6 compliance with this chapter and the laws of this  
7 Commonwealth.

8       (4) Regulations and orders relating to procedures for  
9 customers to file complaints with the commission.

10       (5) Regulations and orders adopted by the commission  
11 relating to accessibility for individuals with mental or  
12 physical disabilities.

13 § 2604.1. Licensure requirements.

14       (a) Application.--An application for a license under this  
15 chapter must be made to the commission in writing, be verified  
16 by oath or affirmation of an officer of the applicant and be in  
17 a form and contain information required by the commission,  
18 including the following:

19       (1) Proof that the transportation network company is  
20 registered with the Department of State to do business in  
21 this Commonwealth.

22       (2) Proof that the transportation network company  
23 maintains a registered agent in this Commonwealth.

24       (3) Proof that the transportation network company  
25 maintains a website that includes the information required  
26 under subsection (b) (10).

27       (4) Proof that the transportation network company has  
28 secured the insurance policies required under and otherwise  
29 complied with section 2603.1 (relating to financial  
30 responsibility requirements) in the form of a certificate of

1 insurance.

2 (5) A license shall be issued to a transportation  
3 network company applicant if the commission determines that  
4 the applicant will comply with this chapter and any  
5 conditions imposed by the commission and meets all the  
6 requirements of subsection (b). The commission may impose  
7 conditions that are reasonably related to a licensee's  
8 obligations as set forth in this chapter.

9 (6) Proof that the transportation network company meets  
10 all the requirements of subsection (b).

11 (b) Requirements.--An applicant seeking a license under this  
12 section must do all of the following as a condition of receipt  
13 and maintenance of a license:

14 (1) Establish and maintain the following:

15 (i) An agent for service of process in this  
16 Commonwealth.

17 ~~(ii) A website that provides a customer service~~ <--  
18 ~~telephone number or e mail address of the transportation~~  
19 ~~network company and the telephone number and e mail~~  
20 ~~address of the commission.~~

21 ~~(iii) Records required under this chapter at a~~  
22 ~~location within this Commonwealth and make them available~~  
23 ~~for inspection by the commission upon request as~~  
24 ~~necessary for the commission to investigate complaints.~~

25 (II) RECORDS REQUIRED UNDER THIS CHAPTER AND MAKE <--  
26 THEM AVAILABLE FOR INSPECTION BY THE COMMISSION, AT A  
27 LOCATION WITHIN THIS COMMONWEALTH OR ELECTRONICALLY, UPON  
28 REQUEST AS NECESSARY FOR THE COMMISSION TO INVESTIGATE  
29 COMPLAINTS.

30 (2) Maintain accurate records of each transportation

1 network company driver providing transportation network  
2 services and the vehicles used to provide the service for no  
3 less than three years or for another period as determined by  
4 the commission. Records retained under this paragraph must  
5 include:

6 (i) ~~Current records of adequate~~ PROOF OF VALID <--  
7 personal automobile insurance.

8 (ii) ~~Criminal history records-checks~~ CHECKS. <--

9 (iii) ~~Driving record-checks~~ HISTORY REPORTS. <--

10 (iv) ~~Valid driver's license and vehicle registration~~ <--  
11 and proof of vehicle inspections. COPIES OF VALID <--

12 DRIVER'S LICENSES FOR EACH DRIVER AND VEHICLE  
13 REGISTRATION AND PROOF OF VEHICLE INSPECTIONS FOR ALL  
14 PERSONAL VEHICLES AFFILIATED WITH THE TRANSPORTATION  
15 NETWORK COMPANY.

16 (v) Records of consumer complaints.

17 (vi) Records of suspension or deactivation of  
18 drivers.

19 (vii) Records of disclosures required to be provided  
20 to drivers under this chapter.

21 (3) Maintain vehicle records, including the make, model  
22 and license plate number of each personal vehicle used by a  
23 transportation network company driver to provide  
24 transportation network service.

25 (4) Implement a zero-tolerance policy on the use of  
26 drugs or alcohol while a transportation network company  
27 driver provides transportation network service. A  
28 transportation network company driver who is the subject of a  
29 reasonable passenger complaint alleging a violation of the  
30 zero-tolerance policy shall be immediately suspended. The

1 suspension shall last until the time the complaint  
2 investigation is complete. The following information shall be  
3 provided on a transportation network company's publicly  
4 accessible Internet website:

5 (i) Notice of the zero-tolerance policy.

6 (ii) Procedures to report a complaint about a  
7 transportation network company driver with whom the  
8 passenger was matched and whom the passenger reasonably  
9 suspects was under the influence of drugs or alcohol  
10 during the course of the ride.

11 ~~(5) Obtain and review, prior to permitting a person to <--~~  
12 ~~act as a transportation network company driver on its digital~~  
13 ~~network, a background check report that includes a source~~  
14 ~~review of Federal and State criminal history background~~  
15 ~~checks. The transportation network company shall disqualify~~  
16 ~~an applicant convicted of certain crimes in accordance with~~  
17 ~~the following:~~

18 ~~(i) An applicant convicted of any of the following~~  
19 ~~within the preceding seven years:~~

20 ~~(A) Driving under the influence of drugs or~~  
21 ~~alcohol.~~

22 ~~(B) A felony conviction involving theft.~~

23 ~~(C) A felony conviction for fraud.~~

24 ~~(D) A felony conviction for a violation of the~~  
25 ~~act of April 14, 1972 (P.L.233, No.64), known as The~~  
26 ~~Controlled Substance, Drug, Device and Cosmetic Act.~~

27 ~~(ii) The applicant has been convicted of any of the~~  
28 ~~following at any time:~~

29 ~~(A) A sexual offense under 42 Pa.C.S. §~~  
30 ~~9799.14(c) or (d) (relating to sexual offenses and~~

1 ~~tier system) or similar offense under the laws of~~  
2 ~~another jurisdiction or under a former law of this~~  
3 ~~Commonwealth.~~

4 ~~(B) Use of a motor vehicle to commit a felony.~~

5 ~~(C) Burglary or robbery.~~

6 ~~(D) A crime of violence as defined in 18 Pa.C.S.~~  
7 ~~§ 5702 (relating to definitions).~~

8 ~~(E) An act of terror.~~

9 ~~(6) Obtain and review, prior to permitting a person to~~  
10 ~~act as a transportation network company driver on its digital~~  
11 ~~network, a driving history report for the person from the~~  
12 ~~Department of Transportation and other relevant sources. A~~  
13 ~~person with more than three moving violations in the three~~  
14 ~~year period prior to the check or a major violation in the~~  
15 ~~three year period prior to the check may not be a~~  
16 ~~transportation network company driver. A transportation~~  
17 ~~network company shall review the driving history report of~~  
18 ~~each transportation network company driver not less than~~  
19 ~~every third year that a driver is acting as a transportation~~  
20 ~~network company driver.~~

21 ~~(7) Establish and provide driver training program~~  
22 ~~materials designed to ensure that each driver understands~~  
23 ~~safety and driving requirements. The materials shall be~~  
24 ~~provided prior to the driver being permitted to offer~~  
25 ~~transportation network services through the transportation~~  
26 ~~network company's digital network. The program may be~~  
27 ~~provided online.~~

28 ~~(5) PRIOR TO PERMITTING A PERSON TO ACT AS A~~ <--  
29 ~~TRANSPORTATION NETWORK COMPANY DRIVER ON ITS DIGITAL NETWORK,~~  
30 ~~A TRANSPORTATION NETWORK COMPANY SHALL DO ALL OF THE~~

1 FOLLOWING:

2 (I) CONDUCT OR HAVE A THIRD PARTY CONDUCT A LOCAL  
3 AND NATIONAL CRIMINAL BACKGROUND CHECK FOR EACH DRIVER  
4 APPLICANT. THE BACKGROUND CHECK SHALL INCLUDE A  
5 MULTISTATE OR MULTIJURISDICTIONAL CRIMINAL RECORDS  
6 LOCATOR OR OTHER SIMILAR COMMERCIAL NATIONWIDE DATABASE  
7 WITH PRIMARY SOURCE SEARCH VALIDATION AND A REVIEW OF THE  
8 UNITED STATES DEPARTMENT OF JUSTICE NATIONAL SEX OFFENDER  
9 PUBLIC WEBSITE. THE TRANSPORTATION NETWORK COMPANY SHALL  
10 DISQUALIFY AN APPLICANT CONVICTED OF CERTAIN CRIMES IN  
11 ACCORDANCE WITH THE FOLLOWING:

12 (A) AN APPLICANT CONVICTED OF ANY OF THE  
13 FOLLOWING WITHIN THE PRECEDING SEVEN YEARS:

14 (I) DRIVING UNDER THE INFLUENCE OF DRUGS OR  
15 ALCOHOL.

16 (II) A FELONY CONVICTION INVOLVING THEFT.

17 (III) A FELONY CONVICTION FOR FRAUD.

18 (IV) A FELONY CONVICTION FOR A VIOLATION OF  
19 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN  
20 AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND  
21 COSMETIC ACT.

22 (B) AN APPLICANT CONVICTED OF ANY OF THE  
23 FOLLOWING WITHIN THE PRECEDING 10 YEARS:

24 (I) USE OF A MOTOR VEHICLE TO COMMIT A  
25 FELONY.

26 (II) BURGLARY OR ROBBERY.

27 (C) AN APPLICANT CONVICTED OF ANY OF THE  
28 FOLLOWING AT ANY TIME:

29 (I) A SEXUAL OFFENSE UNDER 42 PA.C.S. §  
30 9799.14(C) OR (D) (RELATING TO SEXUAL OFFENSES

1 AND TIER SYSTEM) OR SIMILAR OFFENSE UNDER THE  
2 LAWS OF ANOTHER JURISDICTION OR UNDER A FORMER  
3 LAW OF THIS COMMONWEALTH.

4 (II) A CRIME OF VIOLENCE AS DEFINED IN 18  
5 PA.C.S. § 5702 (RELATING TO DEFINITIONS).

6 (III) AN ACT OF TERROR.

7 (II) OBTAIN AND REVIEW A DRIVING HISTORY RESEARCH  
8 REPORT FOR THE PERSON FROM THE DEPARTMENT OF  
9 TRANSPORTATION AND OTHER RELEVANT SOURCES. A PERSON WITH  
10 MORE THAN THREE MOVING VIOLATIONS IN THE THREE-YEAR  
11 PERIOD PRIOR TO THE CHECK OR A MAJOR VIOLATION IN THE  
12 THREE-YEAR PERIOD PRIOR TO THE CHECK MAY NOT BE A  
13 TRANSPORTATION NETWORK COMPANY DRIVER.

14 (III) ONE YEAR AFTER ENGAGING A TRANSPORTATION  
15 NETWORK COMPANY DRIVER AND EVERY SECOND YEAR THEREAFTER,  
16 CONDUCT THE CRIMINAL BACKGROUND AND DRIVING HISTORY  
17 CHECKS REQUIRED BY THIS SUBSECTION AND VERIFY THAT A  
18 TRANSPORTATION NETWORK COMPANY DRIVER CONTINUES TO BE  
19 ELIGIBLE TO BE A DRIVER.

20 (6) (RESERVED).

21 (7) ESTABLISH AND PROVIDE, IN WRITING OR ELECTRONICALLY,  
22 DRIVER TRAINING PROGRAM MATERIALS DESIGNED TO ENSURE THAT  
23 EACH DRIVER UNDERSTANDS SAFETY AND DRIVING REQUIREMENTS WHILE  
24 LOGGED ON TO A DIGITAL NETWORK OR PROVIDING A PREARRANGED  
25 RIDE. DRIVER PROGRAM MATERIALS SHALL CONTAIN INFORMATION  
26 RELATED TO PROVIDING SERVICE TO PEOPLE WITH DISABILITIES.  
27 DRIVERS SHALL BE REQUIRED TO ACKNOWLEDGE RECEIPT OF PROGRAM  
28 MATERIALS.

29 (8) Display, on the digital network, a picture of the  
30 transportation network company driver and a description of

1 the individual's vehicle used in providing transportation  
2 network service, including the make, model and license plate  
3 number of the vehicle.

4 (9) Maintain insurance as required under section 2603.1  
5 as memorialized by the filing of the appropriate certificates  
6 of insurance with the commission.

7 (10) Establish and maintain a publicly accessible  
8 Internet website that provides:

9 ~~(i) A customer service telephone number or e-mail~~ <--  
10 ~~address.~~

11 (I) AT LEAST TWO OF THE FOLLOWING: <--

12 (A) A CUSTOMER SERVICE TELEPHONE NUMBER.

13 (B) AN E-MAIL ADDRESS.

14 (C) A HYPERLINK.

15 (D) ANY OTHER COMMUNICATION METHOD THAT ALLOWS A  
16 PERSON TO COMMUNICATE DIRECTLY WITH THE CUSTOMER  
17 SERVICE DEPARTMENT OF A TRANSPORTATION NETWORK  
18 COMPANY.

19 (ii) The telephone number to file a consumer  
20 complaint with the commission AND THE COMMISSION'S <--  
21 INTERNET WEBSITE ADDRESS.

22 (11) Comply with the commission's regulations and orders  
23 regarding the reporting of motor carrier accidents for any  
24 accidents involving a personal vehicle. Accident reports  
25 shall be maintained for a period of three years from the date  
26 of the accident.

27 (12) Maintain verifiable records regarding its  
28 operations and obligations under this chapter for a minimum  
29 period of three years or as may be required by the commission  
30 by regulation or order.

1 (13) Provide written notice to a driver of the scope and  
2 levels of insurance coverage required under section 2603.1.

3 (14) Provide to transportation network company drivers a  
4 placard or decal for the vehicle that has been approved by  
5 the commission. The decal shall be displayed at any time the  
6 driver is logged ~~onte~~ ON TO the digital network or is <--  
7 providing a prearranged ride under this chapter.

8 § 2604.2. Records.

9 The commission shall be authorized to inspect, audit and  
10 investigate any books, records and facilities of the  
11 transportation network company and any affiliated entities as  
12 necessary to ensure compliance with this chapter. Documents or  
13 records marked as confidential will be treated according to the  
14 commission's practices and regulations regarding confidential  
15 and trade secret information. Information disclosed to the  
16 commission under this chapter shall be exempt from disclosure to  
17 a third person, including through a request submitted under the  
18 act of February 14, 2008 (P.L.6, No.3), known as the Right-to-  
19 Know Law.

20 § 2604.3. ~~Discrimination in service~~ SERVICE STANDARDS. <--

21 (a) General.--Where transportation network services are  
22 offered, a transportation network company must take reasonable  
23 steps to ensure that the service provided by each transportation  
24 network company driver who utilizes the digital network is safe,  
25 reasonable and adequate. A transportation network company may  
26 not unlawfully discriminate against a prospective passenger or  
27 unlawfully refuse to provide service to a certain class of  
28 passengers or certain localities.

29 (b) Disabled individuals.--Each licensed transportation  
30 network company must:

1 (1) Adopt a policy of nondiscrimination regarding  
2 individuals with ~~physical or mental~~ disabilities in <--  
3 accordance with this subsection. The following information  
4 shall be provided on the transportation network company's  
5 publicly accessible Internet website:

6 (i) Notice of the nondiscrimination policy.

7 (ii) Procedures to report a complaint to the  
8 commission ~~or authority~~ about a transportation network <--  
9 company driver's alleged violation of this subsection.

10 (2) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS <--  
11 SECTION, THE DIGITAL NETWORK USED BY A TRANSPORTATION NETWORK  
12 COMPANY TO CONNECT DRIVERS AND PASSENGERS MUST BE ACCESSIBLE  
13 TO CONSUMERS WHO ARE BLIND, VISUALLY IMPAIRED, DEAF AND HARD  
14 OF HEARING.

15 (3) A transportation network company driver must  
16 transport a service animal when accompanying a passenger with  
17 a ~~physical or mental~~ disability for no additional charge <--  
18 unless the transportation network company driver has a  
19 documented medical allergy on file with the transportation  
20 network company. SERVICE ANIMALS SHALL BE PERMITTED TO RIDE <--  
21 IN THE PASSENGER COMPARTMENT OF A VEHICLE. IT SHALL BE A  
22 VIOLATION OF THIS CHAPTER FOR A TRANSPORTATION NETWORK  
23 COMPANY DRIVER TO PLACE A SERVICE ANIMAL IN ANY PART OF A  
24 VEHICLE OTHER THAN THE PASSENGER COMPARTMENT.

25 ~~(3)~~ (4) A transportation network company may not impose <--  
26 additional charges for service to an individual with a  
27 ~~physical or mental~~ disability. <--

28 ~~(4)~~ (5) A transportation network company shall, IN AN <--  
29 AREA WHERE WHEELCHAIR ACCESSIBLE SERVICE IS AVAILABLE,  
30 provide passengers with ~~physical or mental~~ disabilities <--

1 requiring the use of mobility equipment an opportunity to  
2 indicate on its digital network whether they require a  
3 wheelchair accessible vehicle. A transportation network  
4 company or an affiliated entity must, IF WHEELCHAIR <--  
5 ACCESSIBLE SERVICE IS AVAILABLE, facilitate transportation  
6 service for passengers who require a wheelchair-accessible  
7 vehicle by doing one of the following:

8 (i) connecting the passenger to an available  
9 transportation network company driver or other driver  
10 operating a wheelchair-accessible vehicle; or

11 ~~(ii) directing the passenger to a holder of a~~ <--  
12 ~~certificate of public convenience issued by the~~  
13 ~~commission or the authority to provide call or demand~~  
14 ~~service with the ability to dispatch wheelchair~~  
15 ~~accessible vehicle to the passenger.~~

16 (II) IF CONNECTION UNDER SUBPARAGRAPH (I) IS NOT <--  
17 AVAILABLE, DIRECTING THE PASSENGER TO AN ALTERNATIVE  
18 PROVIDER WITH THE LEGAL AUTHORITY AND ABILITY TO DISPATCH  
19 A WHEELCHAIR-ACCESSIBLE VEHICLE TO THE PASSENGER.

20 § 2604.4. Dual motor carrier authority.

21 A dual motor carrier that provides call or demand service  
22 under a certificate of public convenience and that has obtained  
23 a license from the commission to provide transportation network  
24 service may dispatch either a call or demand vehicle or a  
25 personal vehicle driven by a ~~transportation network company~~ DUAL <--  
26 MOTOR CARRIER driver to provide service in its authorized  
27 service territory. THE CERTIFICATE HOLDER SHALL ENSURE, IN THE <--  
28 SAME MANNER USED FOR CALL OR DEMAND FLEET VEHICLES, THAT  
29 PERSONAL VEHICLES USED TO PROVIDE SERVICE UNDER THIS SECTION ARE  
30 IN CONTINUOUS COMPLIANCE WITH DEPARTMENT OF TRANSPORTATION

1 INSPECTION STANDARDS AND THE COMMISSION'S VEHICLE STANDARDS.

2 § 2604.5. Lienholder AND LESSOR requirements. <--

3 ~~If the vehicle utilized by a transportation network company~~ <--

4 ~~driver is subject to a lien or lease and the lienholder or~~

5 ~~lessor requires comprehensive and collision insurance in the~~

6 ~~lien or lease agreement, the transportation network company~~

7 ~~shall notify the driver to provide a signed document that~~

8 ~~affirms that the driver has the comprehensive and collision~~

9 ~~insurance required by the lienholder or lessor. The document~~

10 ~~must be updated on an annual basis. The transportation network~~

11 ~~company shall notify drivers in writing whether it is providing~~

12 ~~comprehensive and collision coverage during service.~~

13 (A) ACKNOWLEDGMENT OF LIEN AND LEASE OBLIGATIONS.-- <--

14 (1) A TRANSPORTATION NETWORK COMPANY SHALL DISCLOSE THE

15 FOLLOWING PROMINENTLY AND WITH A SEPARATE ACKNOWLEDGMENT OF

16 ACCEPTANCE TO ALL PROSPECTIVE TRANSPORTATION NETWORK COMPANY

17 DRIVERS IN ITS WRITTEN TERMS OF SERVICE FOR DRIVERS. THE

18 DISCLOSURE SHALL BE PROVIDED BEFORE A DRIVER IS ALLOWED TO

19 OFFER PREARRANGED RIDES ON A TRANSPORTATION NETWORK COMPANY'S

20 DIGITAL NETWORK:

21 [NAME OF TRANSPORTATION NETWORK COMPANY] WILL PROVIDE

22 YOU WITH A NOTICE EXPLAINING WHETHER IT PROVIDES

23 INSURANCE TO REPAIR YOUR PERSONAL VEHICLE IF YOU HAVE

24 AN ACCIDENT WHEN USING YOUR VEHICLE IN A

25 TRANSPORTATION NETWORK. IF [NAME OF TRANSPORTATION

26 NETWORK COMPANY] DOES NOT PROVIDE COVERAGE FOR DAMAGE

27 TO YOUR CAR, YOUR PERSONAL AUTOMOBILE INSURANCE

28 POLICY MIGHT NOT PROVIDE THE COVERAGE AND YOU MAY BE

29 REQUIRED TO PAY ALL COSTS TO REPAIR THE VEHICLE

30 YOURSELF IN THE EVENT OF AN ACCIDENT FOR WHICH YOU <--

1 ARE AT FAULT UNLESS YOU PURCHASE EXTRA INSURANCE. IF  
2 YOU FINANCED THE PURCHASE OF THE VEHICLE OR LEASE THE  
3 VEHICLE, YOU MUST NOTIFY YOUR LENDER OR LESSOR THAT  
4 YOU WILL USE YOUR VEHICLE TO PROVIDE TRANSPORTATION  
5 NETWORK SERVICE. YOUR LENDER OR LESSOR MAY REQUIRE  
6 YOU TO PURCHASE EXTRA INSURANCE COVERAGE OR IF YOU DO  
7 NOT DO SO, MAY PURCHASE INSURANCE ON YOUR BEHALF AND  
8 BILL YOU FOR THE COSTS OF THE POLICY. THE FAILURE TO  
9 NOTIFY A LENDER OR LESSOR OR TO HAVE INSURANCE TO  
10 COVER THE COST OF DAMAGE TO THE VEHICLE MAY CAUSE  
11 YOUR VEHICLE TO BE REPOSSESSED OR YOUR LEASE TO BE  
12 REVOKED. IF YOU HAVE QUESTIONS ABOUT THIS NOTICE, YOU  
13 SHOULD CONTACT YOUR INSURANCE AGENT, YOUR LENDER OR  
14 LESSOR OR THE PENNSYLVANIA INSURANCE DEPARTMENT.

15 (2) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE THE  
16 NOTICE REQUIRED UNDER PARAGRAPH (1) UPON ANY SUBSEQUENT  
17 MATERIAL REDUCTION IN INSURANCE COVERAGE BY THE COMPANY. FOR  
18 PURPOSES OF THIS PARAGRAPH, "MATERIAL REDUCTION IN INSURANCE  
19 COVERAGE" SHALL NOT INCLUDE THE REPLACEMENT OF INSURANCE  
20 COVERAGE WITH SUBSTANTIALLY SIMILAR INSURANCE COVERAGE FROM A  
21 DIFFERENT INSURER BY A TRANSPORTATION NETWORK COMPANY.

22 (3) A TRANSPORTATION NETWORK COMPANY SHALL NOTIFY  
23 DRIVERS IN WRITING WHETHER IT IS PROVIDING COMPREHENSIVE AND  
24 COLLISION COVERAGE DURING SERVICE.

25 (B) PAYMENT OF DAMAGE CLAIMS.--IF A TRANSPORTATION NETWORK  
26 COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER  
27 COMPREHENSIVE OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK  
28 COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO  
29 THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF  
30 THE VEHICLE AND THE PRIMARY LIENHOLDER OR LESSOR.

1 (C) DIRECT PLACEMENT OF INSURANCE.--IF A DRIVER OF A  
2 PERSONAL VEHICLE USED IN TRANSPORTATION NETWORK SERVICE THAT IS  
3 SUBJECT TO A LIEN OR LEASE FAILS TO MAINTAIN COMPREHENSIVE OR  
4 COLLISION DAMAGE COVERAGE REQUIRED BY THE LIENHOLDER OR LESSOR,  
5 OR TO SHOW EVIDENCE TO THE LIENHOLDER OR LESSOR OF THE COVERAGE  
6 UPON REASONABLE REQUEST, THE LIENHOLDER OR LESSOR MAY OBTAIN THE  
7 COVERAGE AT THE EXPENSE OF THE DRIVER WITHOUT PRIOR NOTICE TO  
8 THE DRIVER.

9 § 2605. Transportation network company drivers.

10 (a) Separate licenses prohibited.--A separate license may  
11 not be required for a transportation network company driver to  
12 provide transportation network service by an approved  
13 transportation network company. Except as otherwise specifically  
14 provided, a transportation network company driver shall not be  
15 subject to other chapters in this title or 53 Pa.C.S. (relating  
16 to municipalities generally).

17 (b) Requirements for transportation network company  
18 drivers.--A transportation network company driver must:

19 (1) Be at least 21 years of age.

20 (2) ~~Submit to a criminal history record check and an~~ <--  
21 ~~appropriate driving history record check as specified in~~  
22 ~~section 2604.1 (relating to licensure requirements).~~ SATISFY <--

23 THE CRIMINAL HISTORY RECORD CHECK AND DRIVING HISTORY RECORD  
24 CHECK REQUIREMENTS OF SECTION 2604.1 (RELATING TO LICENSURE  
25 REQUIREMENTS).

26 (3) Possess a valid driver's license and proof of the  
27 driver's motor vehicle insurance.

28 (4) Carry proof, either a paper copy or electronic copy,  
29 of the transportation network company's liability insurance  
30 required under section 2603.1(b) (relating to financial

1 responsibility requirements) for any PERSONAL vehicle used by <--  
2 the driver.

3 (5) In the case of an accident:

4 (i) Provide the insurance coverage information  
5 required under paragraph (4) to any other party involved  
6 in the accident and, if applicable, to the law  
7 enforcement officer who responds to the scene of the  
8 accident.

9 (ii) Report the accident to the transportation  
10 network company.

11 (iii) Report the accident to the following:

12 (A) the transportation network company driver's  
13 personal automobile insurer if required by the  
14 driver's policy;

15 (B) the owner of the automobile if the driver is  
16 not the owner of the automobile;

17 (C) the insurer providing insurance required  
18 under section 2603.1; and

19 (D) the holder of the insurance policy covering  
20 the automobile if the driver is not the holder of the  
21 policy.

22 (6) Notify the transportation network company  
23 immediately upon conviction for any offense listed under  
24 section 2604.1(b) (5) ~~or (6)~~ which would disqualify the <--  
25 transportation network company driver from being eligible to  
26 provide transportation network service.

27 (7) Only accept a ride arranged through a digital  
28 network and. TRANSPORTATION NETWORK COMPANY DRIVERS MAY not <--  
29 solicit or accept street hails or telephone calls requesting  
30 transportation network service.

1       ~~(8) Display a removable placard or decal provided by the~~ <--  
2       ~~transportation network company that has been approved by the~~  
3       ~~commission on the automobile at any time the driver is logged~~  
4       ~~onto the digital network or is offering or providing a~~  
5       ~~prearranged ride under this chapter. Placards or other~~  
6       ~~markings must be clearly distinguishable and clearly visible~~  
7       ~~from the outside of the vehicle.~~

8       (7.1) (I) NOT OPERATE OR CAUSE TO BE OPERATED A <--  
9       PERSONAL VEHICLE AFFILIATED WITH THE TRANSPORTATION  
10       NETWORK COMPANY IN ANY AREA WHERE THE OPERATION OF THE  
11       VEHICLE IS PROHIBITED BY LAW, INCLUDING ANY AREA AT A  
12       COMMERCIAL SERVICE AIRPORT.

13       (II) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO  
14       LIMIT THE ABILITY OF A MUNICIPALITY OR OTHER GOVERNING  
15       AUTHORITY THAT OWNS OR OPERATES A COMMERCIAL SERVICE  
16       AIRPORT FROM ADOPTING CONTRACTS OR REGULATIONS RELATING  
17       TO THE DUTIES AND RESPONSIBILITIES OF A TRANSPORTATION  
18       NETWORK COMPANY, TRANSPORTATION NETWORK COMPANY DRIVER OR  
19       TRANSPORTATION NETWORK SERVICE ON AIRPORT PROPERTY.

20       (III) FOR PURPOSES OF THIS PARAGRAPH, THE TERM  
21       "COMMERCIAL SERVICE AIRPORT" SHALL HAVE THE SAME MEANING  
22       AS PROVIDED UNDER 49 U.S.C. § 47102 (RELATING TO  
23       DEFINITIONS).

24       (8) DISPLAY A COMMISSION-APPROVED REMOVABLE PLACARD OR  
25       DECAL PROVIDED BY THE TRANSPORTATION NETWORK COMPANY ON THE  
26       AUTOMOBILE AT ANY TIME THE DRIVER IS LOGGED ON TO THE DIGITAL  
27       NETWORK OR IS OFFERING OR PROVIDING A PREARRANGED RIDE UNDER  
28       THIS CHAPTER. PLACARDS OR OTHER MARKINGS MUST BE CLEARLY  
29       DISTINGUISHABLE TO IDENTIFY THAT A PARTICULAR VEHICLE IS  
30       ASSOCIATED WITH A PARTICULAR TRANSPORTATION NETWORK COMPANY

1 AND BE SUFFICIENTLY LARGE AND COLOR-CONTRASTED TO BE READABLE  
2 DURING DAYLIGHT HOURS AT A DISTANCE OF AT LEAST 50 FEET.

3 (9) NOT SMOKE WHILE ENGAGING IN A PREARRANGED RIDE.

4 (c) Driver verification.--

5 (1) A driver shall provide affirmation to the  
6 transportation network company of the following:

7 (i) That the driver is the owner or authorized user  
8 of the vehicle and has received notification of all <--  
9 requirements under ALL OF THE DISCLOSURES REQUIRED BY <--  
10 section 2603.2 (relating to disclosures).

11 (ii) That the driver has notified the driver's  
12 personal insurance company or policyholder that the  
13 driver will be using the vehicle to provide  
14 transportation network services to the public for  
15 compensation.

16 (iii) If the driver will not be using a vehicle  
17 owned by the driver, that the driver has notified the  
18 owner of the vehicle.

19 (iv) That the driver has received notification of  
20 all requirements under subsection (b) and has complied  
21 with those requirements.

22 (2) The affirmation required under paragraph (1) may be  
23 CONTAINED in a written or an electronic form and shall <--  
24 include the driver's electronic or written signature.

25 § 2606. Personal vehicle requirements.

26 (a) Authorized vehicles.--Personal vehicles used by a  
27 transportation network company driver to provide transportation  
28 network service may be a coupe, sedan or other light-duty  
29 vehicle, including a van, minivan, sport utility vehicle,  
30 hatchback, convertible or pickup truck that is equipped and

1 licensed for use on a public highway. At no time may a vehicle  
2 used to provide transportation network service transport a  
3 greater number of individuals, including the driver, than the  
4 number of seat belts factory installed in the vehicle.

5 (b) Vehicle requirements.--No vehicle being used to provide  
6 transportation network service may be older than 10 model years  
7 old or 12 model years if the vehicle is an alternative fuel  
8 vehicle as defined in section 2 of the act of November 29, 2004  
9 (P.L.1376, No.178), known as the Alternative Fuels Incentive  
10 Act, and has been driven no more than 350,000 miles. The  
11 commission may adjust the requirements of this subsection by  
12 regulation or order. All vehicles shall be marked as required by  
13 the commission under section 2605(b) (8) (relating to  
14 transportation network company drivers).

15 (c) Inspections required.--

16 (1) An annual certificate of inspection under 75 Pa.C.S.  
17 Ch. 47 (relating to inspection of vehicles) must be obtained  
18 from an inspection station approved by the Department of  
19 Transportation under 67 Pa. Code Ch. 175 (relating to vehicle  
20 equipment and inspection) for each personal vehicle. A valid  
21 certificate of inspection shall be maintained in all  
22 vehicles. For a vehicle registered outside this Commonwealth,  
23 inspection must be conducted by a facility approved by the  
24 Department of Transportation.

25 (2) The transportation network company shall ensure that  
26 its drivers' vehicles remain in continuous compliance with  
27 this section and the commission's vehicle standards and are  
28 subject to periodic inspections according to Department of  
29 Transportation inspection standards.

30 (3) A commission officer may inspect a personal vehicle

1 if there is reason to believe that the vehicle is not in  
2 compliance with the commission's vehicle standards to ensure  
3 compliance with this section.

4 § 2607. Rates and forms of compensation.

5 (a) Passenger receipt.--Upon completion of transportation  
6 under this chapter, each transportation network company shall  
7 transmit an electronic receipt to the passenger's e-mail address  
8 or account on a digital network documenting:

9 (1) The origination, destination, mileage and time  
10 estimated of the trip.

11 (2) The driver's first name.

12 (3) The total amount paid, if any.

13 (b) Tariff and fares.--A transportation network company  
14 shall file and maintain with the commission a tariff that sets  
15 forth the terms and conditions of service, ~~or, in a city of the~~ <--  
16 first class, with the parking authority of a city of the first  
17 class, including the basis for its fares and its policies  
18 regarding ~~surge~~ DYNAMIC pricing. A transportation network <--  
19 company may offer transportation network service at no charge,  
20 suggest a donation or charge a fare. If a fare is charged, a  
21 transportation network company must disclose the fare  
22 calculation method prior to providing an arranged ride.

23 (c) Estimates.--The transportation network company must  
24 provide estimates upon request for the cost of a trip.

25 ~~(d) Limitation. When a state of disaster emergency is <--~~  
26 ~~declared under 35 Pa.C.S. § 7301 (relating to general authority~~  
27 ~~of Governor), pricing for a transportation network service~~  
28 ~~within the geographic region that is the subject of the~~  
29 ~~declaration must comply with the act of October 31, 2006~~  
30 ~~(P.L.1210, No.133), known as the Price Gouging Act.~~

1 (D) DYNAMIC PRICING.--A TRANSPORTATION NETWORK COMPANY SHALL <--  
2 PROVIDE NOTICE TO POTENTIAL PASSENGERS PRIOR TO ACCEPTING A RIDE  
3 THROUGH ITS DIGITAL NETWORK ANY TIME DYNAMIC PRICING IS IN  
4 EFFECT.

5 (E) LIMITATION.--WHEN A STATE OF DISASTER EMERGENCY IS  
6 DECLARED UNDER 35 PA.C.S. § 7301 (RELATING TO GENERAL AUTHORITY  
7 OF GOVERNOR), A TRANSPORTATION NETWORK COMPANY THAT ENGAGES IN  
8 DYNAMIC PRICING SHALL LIMIT THE MULTIPLIER BY WHICH ITS BASE  
9 RATE IS MULTIPLIED TO THE NEXT HIGHEST MULTIPLE BELOW THE THREE  
10 HIGHEST MULTIPLES SET ON DIFFERENT DAYS IN THE 60 DAYS PRECEDING  
11 THE DECLARATION OF EMERGENCY. IT SHALL BE A VIOLATION OF THE ACT  
12 OF OCTOBER 31, 2006 (P.L.1210, NO.133), KNOWN AS THE PRICE  
13 GOUGING ACT, FOR A TRANSPORTATION NETWORK COMPANY TO CHARGE A  
14 PRICE THAT EXCEEDS THE LIMITS OF THIS SUBSECTION DURING A STATE  
15 OF DISASTER EMERGENCY.

16 ~~(e)~~ (F) Review.--The amount of a donation, charge, fare or <--  
17 other compensation provided or received for transportation  
18 network service shall not be subject to review or approval by  
19 the commission under Chapter 13 (relating to rates and  
20 distribution systems).

21 § 2608. Nondisclosure of passenger information.

22 (A) PROHIBITION ON DISCLOSURE.--A transportation network <--  
23 company shall not disclose to a third party any personally  
24 identifiable or financial information of a transportation  
25 network company passenger unless one of the following applies:

26 (1) The customer knowingly consents. AS USED IN THIS <--  
27 PARAGRAPH, THE TERM "KNOWINGLY CONSENTS" MEANS:

28 (I) THE CUSTOMER IS NOT REQUIRED TO CONSENT TO THE  
29 DISCLOSURE OF PERSONALLY IDENTIFIABLE OR FINANCIAL  
30 INFORMATION TO A THIRD PARTY IN ORDER TO USE A DIGITAL

1 NETWORK OR RECEIVE A PREARRANGED RIDE.

2 (II) THE CUSTOMER CONSENTS TO DISCLOSURE OF  
3 PERSONALLY IDENTIFIABLE OR FINANCIAL INFORMATION IN A  
4 DOCUMENT THAT IS SEPARATE FROM THE TRANSPORTATION NETWORK  
5 COMPANY'S TERMS OF SERVICE AGREEMENT.

6 (2) The information is disclosed under subpoena, court  
7 order or other legal obligation.

8 (3) The disclosure is to the commission in the context  
9 of an investigation regarding a complaint filed with the  
10 commission against a transportation network company or a  
11 transportation network company driver and the commission  
12 treats the information as proprietary and confidential.

13 (4) The disclosure is required to protect or defend the  
14 terms of use of the service or to investigate violations of  
15 those terms. In addition to the foregoing, a transportation  
16 network company shall be permitted to share a passenger's  
17 name or telephone number with the transportation network  
18 company driver providing transportation network company  
19 service to the passenger in order to:

20 (i) facilitate correct identification of the  
21 passenger by the transportation network company driver;  
22 or

23 (ii) to facilitate communication between the  
24 passenger and the transportation network company driver.

25 (B) PROHIBITION ON SALES.--A TRANSPORTATION NETWORK COMPANY <--  
26 SHALL NOT SELL THE PERSONALLY IDENTIFIABLE OR FINANCIAL  
27 INFORMATION OF A TRANSPORTATION NETWORK COMPANY PASSENGER. THE  
28 PROHIBITION UNDER THIS SUBSECTION SHALL NOT APPLY TO THE SALE,  
29 MERGER OR ACQUISITION OF A TRANSPORTATION NETWORK COMPANY BY  
30 ANOTHER ENTITY.

1 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE TERM "THIRD  
2 PARTY" SHALL NOT INCLUDE VENDORS OF A TRANSPORTATION NETWORK  
3 COMPANY WHO MUST ACCESS PASSENGER PERSONALLY IDENTIFIABLE OR  
4 FINANCIAL INFORMATION TO CARRY OUT CONTRACTED FOR WORK ON BEHALF  
5 OF A TRANSPORTATION NETWORK COMPANY.

6 § 2609. Fines and penalties.

7 (a) Imposition.--The commission may, after notice and  
8 opportunity to be heard, impose civil fines, penalties, license <--  
9 suspensions and revocations and other appropriate remedies for  
10 violations of this chapter and commission regulations and  
11 orders. The commission shall adopt a schedule of penalties to be  
12 imposed for specific violations, including multiple violations.  
13 The schedule shall delineate those offenses deemed to be serious  
14 and appropriate penalties. CIVIL PENALTIES UNDER SECTION 3301 <--  
15 (RELATING TO CIVIL PENALTIES FOR VIOLATIONS) AND NONMONETARY  
16 PENALTIES, INCLUDING LICENSE SUSPENSIONS, REVOCATIONS AND OTHER  
17 APPROPRIATE REMEDIES FOR VIOLATIONS OF THIS CHAPTER AND  
18 COMMISSION REGULATIONS AND ORDERS. THE COMMISSION SHALL ADOPT A  
19 SCHEDULE OF PENALTIES TO BE IMPOSED FOR SPECIFIC VIOLATIONS,  
20 INCLUDING MULTIPLE VIOLATIONS. THE SCHEDULE SHALL DELINEATE  
21 OFFENSES DEEMED TO BE SERIOUS AND THE CORRESPONDING PENALTIES.

22 (B) VIOLATIONS FOR OPERATION WITHOUT COMMISSION AUTHORITY.-- <--  
23 A PERSON OR ENTITY WHICH, AS DETERMINED BY THE COMMISSION,  
24 OPERATED AS A TRANSPORTATION NETWORK COMPANY PRIOR TO THE  
25 EFFECTIVE DATE OF THIS SECTION WITHOUT PROPER AUTHORITY FROM THE  
26 COMMISSION SHALL BE SUBJECT TO A PENALTY NOT TO EXCEED \$1,000  
27 PER DAY OR A MAXIMUM PENALTY NOT TO EXCEED \$250,000,  
28 NOTWITHSTANDING THE NUMBER OF VIOLATIONS THAT OCCURRED DURING  
29 THE PERIOD IN WHICH THE PERSON OR ENTITY OPERATED WITHOUT  
30 AUTHORITY.

1 ~~(b)~~ (C) Disqualification.-- <--

2 (1) The commission may issue an order to a  
3 transportation network company requiring disqualification of  
4 a driver from being a transportation network company driver  
5 if:

6 (i) during any three-year period the driver commits  
7 five or more violations under this title; or

8 (ii) at any time after the date of enactment of this  
9 act, the driver is convicted of any criminal offense  
10 described under section 2604.1(b)(5) (relating to  
11 licensure requirements).

12 (2) A commission directive to the transportation network  
13 company to disqualify a driver from being a transportation  
14 network company driver may occur only after the filing and  
15 adjudication of a formal complaint pursuant to Chapter 7  
16 (relating to procedure on complaints) and 52 Pa. Code Ch. 5 <--  
17 (relating to formal proceedings), by which the COMMISSION <--  
18 REGULATIONS. A transportation network company shall be  
19 afforded full due process, including notice and opportunity  
20 to be heard.

21 (3) The commission may adopt regulations to allow for  
22 the reinstatement of a driver following an appropriate  
23 disqualification period and compliance with any conditions  
24 imposed by the commission.

25 § 2610. Commission costs.

26 The program costs for commission implementation and  
27 enforcement of this chapter shall be included in the  
28 commission's proposed budget and shall be assessed upon  
29 transportation network companies in accordance with section 510  
30 (relating to assessment for regulatory expenses upon public

1 utilities). For the purposes of section 510 only, the definition  
2 of public utility shall include a transportation network company  
3 and, for purposes of assessment only, may be grouped with other  
4 utilities furnishing the same kind of service. The  
5 transportation network company shall report annually to the  
6 commission the gross intrastate receipts derived from all fares  
7 charged to customers for the provision of transportation network  
8 service, PROVIDED UNDER THIS CHAPTER, regardless of the entity <--  
9 that collects the revenues. Gross intrastate receipts under this <--  
10 section shall not include gross receipts assessed by a parking  
11 authority in a city of the first class under section 2611(d)  
12 (relating to city of the first class).  
13 § 2611. City of the first class.

14 (a) Authority. A transportation network company that has  
15 been licensed by the commission may apply to the parking  
16 authority of a city of the first class for a certificate to  
17 operate in the city of the first class. The certificate shall be  
18 granted to the transportation network company within 90 days if  
19 the parking authority determines that the transportation network  
20 company is in compliance with the following:

21 (1) Section 2603.1 (relating to financial responsibility  
22 requirements).

23 (2) Section 2603.2 (relating to disclosures).

24 (3) Section 2604 (relating to licenses, certificates and  
25 regulations).

26 (4) Section 2604.1 (relating to licensure requirements).

27 (5) Section 2604.3 (relating to discrimination in  
28 service).

29 (6) Section 2604.4 (relating to dual motor carrier  
30 authority).

1 ~~(7) Section 2604.5 (relating to lienholder~~  
2 ~~requirements).~~

3 ~~(8) Section 2605 (relating to transportation network~~  
4 ~~company drivers).~~

5 ~~(9) Section 2606 (relating to personal vehicle~~  
6 ~~requirements).~~

7 ~~(10) Section 2607 (relating to rates and forms of~~  
8 ~~compensation).~~

9 ~~(11) Section 2608 (relating to nondisclosure of~~  
10 ~~passenger information).~~

11 ~~(b) Regulations. The parking authority of the city of the~~  
12 ~~first class may adopt reasonable regulations relating to~~  
13 ~~enforcement under this section that do not impose additional~~  
14 ~~burdens on the transportation network company than those imposed~~  
15 ~~by the commission on transportation network company vehicles~~  
16 ~~outside the city of the first class.~~

17 ~~(c) Accessibility. A transportation network company that~~  
18 ~~holds a certificate from a parking authority of a city of the~~  
19 ~~first class shall comply with section 2604.3.~~

20 ~~(d) Assessment. A transportation network company operating~~  
21 ~~in a city of the first class shall pay to that city's parking~~  
22 ~~authority an amount equal to 1% of the gross receipts from all~~  
23 ~~fares charged to all passengers for prearranged rides that~~  
24 ~~originate in the city of the first class. The amount assessed~~  
25 ~~shall be remitted on a quarterly basis and deposited into a~~  
26 ~~special account in the State Treasury. The Treasurer shall~~  
27 ~~annually distribute 66.67% to a school district of the first~~  
28 ~~class and 33.33% to the parking authority of the city of the~~  
29 ~~first class.~~

30 ~~(e) Reporting. Each transportation network company that~~

~~1 collects money under subsection (d) shall report to the parking  
2 authority of the city of the first class on a quarterly basis  
3 all amounts collected and remitted to the parking authority. The  
4 initial report shall be transmitted no later than March 30,  
5 2016. Information reported shall not be subject to the act of  
6 February 14, 2008 (P.L.6, No.3), known as the Right to Know Law.~~

~~7 (f) Prohibition. A transportation network company driver  
8 operating in a city of the first class shall not solicit or  
9 accept a prearranged ride at any of the following locations:~~

~~10 (1) A designated taxi stand, no stopping or standing  
11 zone or other area where a personal vehicle may not enter at  
12 an international airport owned by the city of the first class  
13 and located in whole or in part in the city of the first  
14 class.~~

~~15 (2) A designated taxi stand, no stopping or standing  
16 zone or other area where a personal vehicle may not enter at  
17 a train station owned by AMTRAK located in the city of the  
18 first class.~~

~~19 (3) Organized lines of taxis at hotels utilized to  
20 provide services to patrons and visitors at the hotel.~~

~~21 (g) Penalties and enforcement. The following shall apply:~~

~~22 (1) If the parking authority of a city of the first  
23 class has evidence that the appropriate assessment amount is  
24 not being remitted under subsection (d), it shall investigate  
25 the matter and determine if the appropriate amount was  
26 transmitted.~~

~~27 (2) A driver found by the parking authority to be in  
28 violation of this section shall be subject to a fine of not  
29 more than \$500 per occurrence for a first or second offense  
30 and not more than \$1,000 for a third or subsequent offense.~~

1 ~~(3) The following shall apply:~~

2 ~~(i) The authority may issue an order to a~~  
3 ~~transportation network company requiring disqualification~~  
4 ~~of a driver from being a transportation network company~~  
5 ~~driver if:~~

6 ~~(A) during any three year period the driver~~  
7 ~~commits five or more violations under this title; or~~

8 ~~(B) at any time after the effective date of this~~  
9 ~~act, the driver is convicted of a criminal offense~~  
10 ~~described under section 2604.1(b)(5) (relating to~~  
11 ~~licensure requirements).~~

12 ~~(ii) An authority directive to the transportation~~  
13 ~~network company to disqualify a driver from being a~~  
14 ~~transportation network company driver may occur only~~  
15 ~~after the filing and adjudication of a formal complaint~~  
16 ~~pursuant to 52 Pa. Code Ch. 1005 (relating to formal~~  
17 ~~proceedings), by which the transportation network company~~  
18 ~~shall be afforded full due process, including notice and~~  
19 ~~opportunity to be heard.~~

20 ~~(iii) The authority may adopt regulations to allow~~  
21 ~~reinstatement of a driver following an appropriate~~  
22 ~~disqualification period and compliance with any~~  
23 ~~conditions imposed by the authority.~~

24 ~~(iv) The authority may only confiscate the vehicle~~  
25 ~~of a driver who continues to provide transportation~~  
26 ~~network company service while disqualified or following~~  
27 ~~suspension or revocation of a transportation network~~  
28 ~~company's license.~~

29 Section 6. The definition of "bus" in section 102 of Title  
30 75 is amended to read:

1 § 102. Definitions.

2 Subject to additional definitions contained in subsequent  
3 provisions of this title which are applicable to specific  
4 provisions of this title, the following words and phrases when  
5 used in this title shall have, unless the context clearly  
6 indicates otherwise, the meanings given to them in this section:

7 \* \* \*

8 "Bus."

9 (1) a motor vehicle designed to transport 16 or more  
10 passengers, including the driver; or

11 (2) a motor vehicle, other than a taxicab [or],  
12 limousine or personal vehicle as defined in 66 Pa.C.S. § 102  
13 (relating to definitions), designed to transport not more  
14 than 15 passengers, including the driver, and used for the  
15 transportation of persons for compensation.

16 The term does not include a vehicle used in a ridesharing  
17 arrangement, as defined in the act of December 14, 1982  
18 (P.L.1211, No.279), entitled "An act providing for ridesharing  
19 arrangements and providing that certain laws shall be  
20 inapplicable to ridesharing arrangements," or a school bus.

21 \* \* \*

22 Section 7. All acts and parts of acts are repealed insofar  
23 as they are inconsistent with the addition of 66 Pa.C.S. Ch. 26.

24 Section 8. This act shall take effect immediately.