

AMENDMENTS TO SENATE BILL NO. 984

Sponsor: SENATOR BARTOLOTTA

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1 Amend Bill, page 1, line 4, by inserting after "definitions"
2 and for certificate of public convenience required

3 Amend Bill, page 3, by inserting between lines 6 and 7

4 Section 1.1. Section 5741(c) of Title 53 is amended to read:
5 § 5741. Certificate of public convenience required.

6 * * *

7 (c) Restrictions.--

8 (1) Certificates issued pursuant to this subchapter
9 shall be nontransferable unless a transfer is approved by the
10 authority.

11 (2) A limousine service provider operating pursuant to
12 an authority-issued certificate of public convenience and a
13 filed tariff permitting the limousine service provider to
14 charge mileage-based rates on the effective date of this
15 paragraph shall be permitted to continue to charge mileage-
16 based rates and to be regulated in the same manner as
17 traditional limousine service providers.

18 * * *

19 Amend Bill, page 4, line 22, by striking out "AND" and
20 inserting

21 or

22 Amend Bill, page 4, line 25, by striking out the period after
23 "COMMISSION" and inserting

24 operating in this Commonwealth. The term includes a common
25 carrier, common carrier by motor vehicle or motor carrier, that
26 uses a digital network to facilitate prearranged rides.

27 Amend Bill, page 4, lines 26 through 30; page 5, line 1; by
28 striking out all of said lines on said pages

29 Amend Bill, page 5, lines 8 through 12, by striking out all
30 of said lines and inserting

1 "Personal vehicle." As follows:

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

5 (2) The term does not include:

6 Amend Bill, page 5, lines 17 through 20, by striking out "EXCEPT A CALL AND DEMAND" in line 17, all of lines 18 and 19 and
7
8 "26 (RELATING TO TRANSPORTATION NETWORK SERVICE)" in line 20

9 Amend Bill, page 6, line 1, by striking out "driver to a
10 passenger, beginning when a driver" and inserting
11 transportation network company driver to a passenger,
12 beginning when a transportation network company driver

13 Amend Bill, page 6, line 3, by striking out "a requesting"
14 and inserting

15 the

16 Amend Bill, page 6, line 4, by striking out "requesting"

17 Amend Bill, page 6, lines 8 through 10, by striking out
18 "UNLESS THE SERVICE IS PROVIDED" in line 8, all of line 9 and
19 "COMMISSION" in line 10

20 Amend Bill, page 6, line 12, by inserting after "carrier"
21 , unless the service is provided by a dual motor carrier

22 Amend Bill, page 6, lines 19 through 27, by striking out all
23 of said lines and inserting

24 "Transportation network company." As follows:

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

26 (i) Is licensed by the commission.

27 (ii) Operates in this Commonwealth.

28 (iii) Uses a digital network to facilitate
29 prearranged rides.

30 (iv) If rides are initiated in a city of the first
31 class, obtains a certificate to operate from the parking
32 authority of the city of the first class.

33 (2) Dual motor carriers licensed by the commission under
34 section 2604 (relating to service standards and requirements)
35 that use a digital network to facilitate prearranged rides.

36 Amend Bill, page 6, line 30, by inserting after "company"

1 , including a dual motor carrier licensed by the
2 commission,

3 Amend Bill, page 7, lines 15 and 16, by striking out "the
4 service being provided" and inserting
5 a prearranged ride

6 Amend Bill, page 8, line 3, by striking out "passenger motor
7 carrier services" and inserting
8 a prearranged ride

9 Amend Bill, page 10, line 3, by striking out all of said line

10 Amend Bill, page 12, lines 9 through 16, by striking out all
11 of said lines

12 Amend Bill, page 12, line 25, by striking out "Service
13 standards and requirements" and inserting
14 Licenses, certificates and regulations

15 Amend Bill, page 13, by inserting between lines 11 and 12
16 "Authority." A parking authority of a city of the first
17 class.

18 Amend Bill, page 13, line 26, by inserting after "sources.--A
19 "
20 transportation network company may not be considered a

21 Amend Bill, page 14, line 7, by inserting after "provided"
22 under this chapter

23 Amend Bill, page 14, line 20, by striking out "special"

24 Amend Bill, page 14, line 27, by striking out "special"

25 Amend Bill, page 15, line 30, by striking out "PASSENGERS
26 AND"

27 Amend Bill, page 16, line 29, by striking out "INSURANCE" and
28 inserting

29 Notwithstanding paragraphs (1), (2) and (3), insurance

30 Amend Bill, page 17, line 1, by striking out "RATES" and

1 inserting

2 insurance coverage

3 Amend Bill, page 17, line 1, by striking out "RATE" and

4 inserting

5 insurance coverage

6 Amend Bill, page 17, lines 16 and 17, by striking out "under

7 paragraphs (2), (3), (4) and (5) THIS SECTION" and inserting

8 by a transportation network company under paragraph (4)

9 Amend Bill, page 17, line 22, by striking out "may" and

10 inserting

11 shall

12 Amend Bill, page 18, line 19, by inserting after "COMPANY"

13 driver

14 Amend Bill, page 20, line 26, by striking out "AS A CONDITION

15 OF ENTERING INTO A LEASE AGREEMENT"

16 Amend Bill, page 22, line 10, by striking out "Service

17 standards and requirements" and inserting

18 Licenses, certificates and regulations

19 Amend Bill, page 25, line 7, by inserting after "Current"

20 records of adequate

21 Amend Bill, page 25, line 8, by striking out "information"

22 Amend Bill, page 25, lines 11 and 12, by striking out

23 "Vehicle registration and proof of vehicle" in line 11 and all

24 of line 12 and inserting

25 Valid driver's license and vehicle registration and
26 proof of vehicle inspections.

27 Amend Bill, page 27, lines 18 through 20, by striking out

28 "The Department of Transportation" in line 18 and all of lines

29 19 and 20

30 Amend Bill, page 27, line 21, by striking out "a" and

1 inserting

2 and provide

3 Amend Bill, page 27, line 21, by inserting after "program"

4 materials

5 Amend Bill, page 27, line 23, by striking out "program" and

6 inserting

7 materials

8 Amend Bill, page 27, line 23, by striking out "administered"

9 and inserting

10 provided

11 Amend Bill, page 27, line 26, by striking out "platform" and

12 inserting

13 digital network

14 Amend Bill, page 28, line 25, by striking out "anticipates

15 offering" and inserting

16 is logged onto the digital network

17 Amend Bill, page 29, line 10, by inserting after "General.--

18 Where "

19 transportation network

20 Amend Bill, page 29, line 26, by inserting after "THE"

21 commission or

22 Amend Bill, page 30, line 25, by striking out "and" and

23 inserting

24 or

25 Amend Bill, page 30, line 28, by striking out "and" and

26 inserting

27 or

28 Amend Bill, page 31, line 3, by inserting after "lien"

29 or lease

30 Amend Bill, page 31, line 3, by inserting after "lienholder"

31 or lessor

1 Amend Bill, page 31, line 4, by inserting after "lien"
2 or lease

3 Amend Bill, page 31, line 5, by striking out "REQUIRE" and
4 inserting
5 notify

6 Amend Bill, page 31, line 8, by striking out "AN AFFIDAVIT"
7 and inserting
8 a signed document

9 Amend Bill, page 31, line 10, by inserting after "LIENHOLDER"
10 or lessor

11 Amend Bill, page 31, line 10, by striking out "AFFIDAVIT" and
12 inserting
13 document

14 Amend Bill, page 32, line 18, by striking out "and"

15 Amend Bill, page 32, line 20, by striking out the period
16 after "2603.1" and inserting
17 ; 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 Amend Bill, page 32, line 23, by striking out "2604.1(b)(6)
22 or (7)" and inserting
23 2604.1(b)(5) or (6)

24 Amend Bill, page 33, line 2, by striking out "anticipates
25 offering" and inserting
26 is logged onto the digital network

27 Amend Bill, page 33, line 3, by inserting after "chapter."
28 Placards or other markings must be clearly
29 distinguishable and clearly visible from the outside of the
30 vehicle.

31 Amend Bill, page 33, line 8, by inserting after "vehicle"
32 and has received notification of all requirements
33 under section 2603.2 (relating to disclosures)

1 Amend Bill, page 33, line 10, by inserting after "company"

2 or policyholder

3 Amend Bill, page 33, line 21, by inserting after "driver's"

4 electronic or written

5 Amend Bill, page 33, line 23, by striking out "Vehicles" and

6 inserting

7 Personal vehicles

8 Amend Bill, page 33, line 24, by striking out "company" where

9 it occurs the second time

10 Amend Bill, page 34, lines 10 through 13, by striking out

11 "commission's regulations or orders when providing" in line 10

12 and all of lines 11 through 13 and inserting

13 commission under section 2605(b)(8) (relating to
14 transportation network company drivers).

15 Amend Bill, page 34, lines 22 through 24, by striking out all

16 of said lines and inserting

17 inspection must be conducted by a facility approved by
18 the Department of Transportation.

19 Amend Bill, page 36, line 16, by inserting after "company"

20 or a transportation network company driver

21 Amend Bill, page 37, lines 14 through 21, by striking out all

22 of said lines and inserting

23 (b) Disqualification.--

24 (1) The commission may issue an order to a
25 transportation network company requiring disqualification of
26 a driver from being a transportation network company driver
27 if:

28 (i) during any three-year period the driver commits
29 five or more violations under this title; or

30 (ii) at any time after the date of enactment of this
31 act, the driver is convicted of any criminal offense
32 described under section 2604.1(b)(5) (relating to
33 licensure requirements).

34 (2) A commission directive to the transportation network
35 company to disqualify a driver from being a transportation
36 network company driver may occur only after the filing and
37 adjudication of a formal complaint pursuant to Chapter 7

1 (relating to procedure on complaints) and 52 Pa. Code Ch. 5
2 (relating to formal proceedings), by which the transportation
3 network company shall be afforded full due process, including
4 notice and opportunity to be heard.

5 (3) The commission may adopt regulations to allow for
6 the reinstatement of a driver following an appropriate
7 disqualification period and compliance with any conditions
8 imposed by the commission.

9 Amend Bill, page 38, line 7, by striking out "amounts" and
10 inserting

11 gross receipts

12 Amend Bill, page 40, lines 24 and 25, by striking out "actual
13 amount" and inserting

14 gross receipts from all fares

15 Amend Bill, page 41, lines 1 through 4, by striking out
16 "Revenues of the transportation network company FOR" in line 1
17 and all of lines 2 through 4

18 Amend Bill, page 41, line 10, by striking out ", and every
19 March 30 quadrennially thereafter." and inserting

20 . Information reported shall not be subject to the act of
21 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

22 Amend Bill, page 42, lines 22 through 30; page 43, lines 1
23 through 3; by striking out all of said lines on said pages and
24 inserting

25 (3) The following shall apply:

26 (i) The authority may issue an order to a
27 transportation network company requiring disqualification
28 of a driver from being a transportation network company
29 driver if:

30 (A) during any three-year period the driver
31 commits five or more violations under this title; or

32 (B) at any time after the effective date of this
33 act, the driver is convicted of a criminal offense
34 described under section 2604.1(b)(5) (relating to
35 licensure requirements).

36 (ii) An authority directive to the transportation
37 network company to disqualify a driver from being a
38 transportation network company driver may occur only
39 after the filing and adjudication of a formal complaint
40 pursuant to 52 Pa. Code Ch. 1005 (relating to formal

1 proceedings), by which the transportation network company
2 shall be afforded full due process, including notice and
3 opportunity to be heard.

4 (iii) The authority may adopt regulations to allow
5 reinstatement of a driver following an appropriate
6 disqualification period and compliance with any
7 conditions imposed by the authority.

8 (iv) The authority may only confiscate the vehicle
9 of a driver who continues to provide transportation
10 network company service while disqualified or following
11 suspension or revocation of a transportation network
12 company's license.

13 Amend Bill, page 43, line 29, by striking out "in 60 days"

14 and inserting

15 immediately