
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1810 Session of
2019

INTRODUCED BY DONATUCCI, HILL-EVANS, RABB, CRUZ, CONKLIN,
KINSEY, SCHLOSSBERG, HARKINS, CALTAGIRONE, YOUNGBLOOD,
NEILSON, McCLINTON, FRANKEL AND DAWKINS, SEPTEMBER 16, 2019

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, SEPTEMBER 16, 2019

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in transportation network service,
3 providing for minimum pay rate; and providing for powers and
4 duties of the Department of Labor and Industry.

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

7 Section 1. Title 66 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 2607.1. Minimum pay rate.

10 (a) General rule.--Upon establishment by regulation of a
11 minimum pay rate under subsection (d), a transportation network
12 company shall pay each transportation company network driver a
13 minimum pay rate for each prearranged ride arranged through the
14 company's transportation network system if the fare or payment
15 for the prearranged ride, as arranged through the transportation
16 network system, is less than the minimum pay rate.

17 (b) Cost of living adjustment.--

18 (1) Beginning one year after implementation of the

1 minimum pay rate established by regulation under subsection
2 (d) and each year thereafter, the minimum pay rate for
3 transportation company network drivers shall be increased by
4 an annual cost-of-living adjustment calculated by the
5 secretary using the percentage change in the Consumer Price
6 Index for All Urban Consumers (CPI-U) for the Pennsylvania,
7 New Jersey, Delaware and Maryland area. In calculating the
8 adjustment, the secretary shall use the most recent 12-month
9 period for which figures have been officially reported by the
10 United States Department of Labor, Bureau of Labor
11 Statistics.

12 (2) At least 60 days prior to the date of the adjustment
13 under paragraph (1) is due to take effect, the percentage
14 increase and the minimum pay rate amount, rounded to the
15 nearest multiple of five cents, shall be determined by the
16 secretary.

17 (3) The secretary shall, within 10 days following the
18 determination under paragraph (2), transmit notice of the
19 determination to the Legislative Reference Bureau for
20 publication in the Pennsylvania Bulletin.

21 (c) Report.--

22 (1) The commission and the department shall jointly
23 prepare a report related to establishing a minimum pay rate
24 for transportation company network drivers, which shall
25 include, but not be limited to:

26 (i) An analysis of the following:

27 (A) Distance and duration of rides.

28 (B) Estimated expenses of vehicle operations.

29 (C) A driver's applicable utilization standard,

30 which shall be the percentage of a driver's on-duty

1 time spent with a passenger in the driver's vehicle.

2 (D) A driver's tariff schedule.

3 (E) The adequacy of a driver's estimated income
4 compared to the driver's estimated expenses.

5 (ii) Formulaic parameters for establishing a minimum
6 pay rate for transportation company network drivers.

7 (2) The report under paragraph (1) shall be submitted to
8 the Governor and the General Assembly on or before December
9 1, 2020, and every five years thereafter.

10 (d) Regulations.--The department shall promulgate
11 regulations establishing a minimum pay rate for drivers based on
12 the findings of the report under subsection (c).

13 (e) Limitation.--Regulations promulgated under subsection
14 (d) shall not alter the manner in which a transportation network
15 company delivers a payment to a transportation network company
16 driver.

17 (f) Definitions.--As used in this section, the following
18 words and phrases shall have the meanings given to them in this
19 subsection:

20 "Department." The Department of Labor and Industry of the
21 Commonwealth.

22 "Minimum pay rate." The minimum rate for a prearranged ride
23 as established by regulations under subsection (d).

24 "Secretary." The Secretary of Labor and Industry of the
25 Commonwealth.

26 Section 2. This act shall take effect in 60 days.