

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 70 Session of  
2023

---

INTRODUCED BY TARTAGLIONE, KEARNEY, FONTANA, HUGHES, BREWSTER,  
KANE AND CAPPELLETTI, JANUARY 18, 2023

---

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JANUARY 18, 2023

---

AN ACT

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

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

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

8 § 2607. Rates and forms of compensation.

9 \* \* \*

10 (g) Study.--

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

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

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

18 (iii) Traffic safety.

1           (iv) Vehicle utilization rates.

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

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

7           (vii) Driver incomes and well-being.

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

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

13           (i) For a prearranged ride:

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

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

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

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

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

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

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

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

1 the amount a passenger paid for the prearranged ride.

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

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

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

8 (A) Providing transportation network services.

9 (B) On the way to a passenger.

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

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

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

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

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

22 (ii) The Secretary of Transportation.

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

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

28 (v) The chair and minority chair of the  
29 Transportation Committee of the Senate.

30 (vi) The chair and minority chair of the

1 Transportation Committee of the House of Representatives.

2 (h) Minimum payments to drivers.--

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

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

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

12 (iii) Applicable vehicle utilization standard.

13 (iv) Rates of fares.

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

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

23 (i) Minimum rates of fares.--

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

29 (2) If the commission determines that a minimum rate of  
30 fare would substantially alleviate problems identified in the

1 study, the commission shall, by rule or order, establish a  
2 minimum rate of fare for transportation network company  
3 services.

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

6 (i) The category of vehicle.

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

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

13 (iv) The location of the prearranged ride.

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

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

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

25 Section 2. This act shall take effect immediately.