



HOUSE BILL 391: Passenger Protection Act.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 26, 2019
Introduced by:	Rep. Bell	Prepared by:	Howard Marsilio
Analysis of:	PCS to Second Edition H391-CSBGa-51		Committee Counsel

OVERVIEW: *House Bill 391 would:*

- *Amend Transportation Network Company (TNC) safety requirements.*
- *Raise the minimum age for TNC drivers from 19 to 21.*
- *Create an infraction for a TNC driver's failure to display their license plate number as required.*
- *Create a criminal offense for impersonating a TNC driver.*
- *Raise the punishment for assaulting a TNC driver while providing a TNC service from a Class 2 misdemeanor to a Class A1 misdemeanor.*
- *Create a Commission to Study Transportation Network Company Passenger Safety.*
- *Appropriate \$500,000 to the NCDMV to administer as matching grant money for higher education institution awareness campaigns to educate students on what information a TNC must provide to help customers identify TNC drivers.*

CURRENT LAW/BILL ANALYSIS:

Section 1 would name the act the "Passenger Protection Act".

Section 2: Transportation Network Companies are currently required to have TNC drivers inspect their vehicles annually to meet State safety requirements, to provide certain information to customers after a ride request is accepted by a driver, and maintain records of each TNC service provided and TNC drivers for specified periods of time. This section would amend TNC safety requirements by:

- Requiring a TNC to require a TNC driver to display the vehicle's license plate number in a location that is visible from the front of the vehicle.
- Requiring a TNC to require a TNC driver to display consistent and distinctive signage or emblems while a TNC driver is active on the TNC digital platform or when providing a TNC service.

Section 2.5 would raise the TNC driver minimum age from 19 to 21 years old.

Section 3 would create a new infraction for a TNC driver's failure to display the license plate number of the vehicle as required by the new safety requirements within Section 2 of this act.

Karen Cochrane-Brown
Director



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Section 3.3 would create a new criminal offense for impersonating a TNC driver. Impersonating a TNC driver during the commission of a separate felony offense would be a Class H felony, any other violation would be a Class 2 misdemeanor.

Section 3.5: Current law makes simple assault, simple assault and battery, or simple affray a Class 2 misdemeanor. Violations of these offenses involving certain victims, or under certain circumstances, are punished as a Class A1 misdemeanor, such as assaulting a public transit operator. This section would amend current law to specify the assaulting a TNC driver providing a TNC service would be a Class A1 misdemeanor.

Section 4 would create an 11 member Commission to Study Transportation Network Company Passenger Safety.

Section 5 would appropriate \$500,000 to the NCDMV in nonrecurring funds for the 2020-2021 fiscal year to administer as matching grant funds (dollar-for-dollar, up to \$10,000 per applicant) for higher education institution awareness campaigns to educate students on what information a TNC must provide to help customers identify TNC drivers. North Carolina institutions of higher education, for purposes of this act, include constituent institutions, community colleges, and private post-secondary institutions located in the State.

EFFECTIVE DATE: Section 2 would become effective July 1, 2020 in part, and October 1, 2019 in part. Section 2.5 would become effective October 1, 2019. Sections 3, 3.3, and 3.5 would become effective December 1, 2019. Section 5 would become effective July 1, 2020. Except as otherwise provided, this act would become effective when it becomes law.