



HOUSE BILL 391: Passenger Protection Act.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2019-2020 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Transportation. If favorable, re-refer to Rules and Operations of the Senate	Date:	July 8, 2019
Introduced by:	Rep. Bell	Prepared by:	Shawn Middlebrooks Staff Attorney
Analysis of:	PCS to Third Edition H391-CSBQ-38		

OVERVIEW: The Proposed Committee Substitute (PCS) to 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.

CURRENT LAW/BILL ANALYSIS:

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

Section 2 of the PCS: 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 of the PCS would raise the TNC driver minimum age from 19 to 21 years old.

Section 3 of the PCS 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.

Section 3.3 of the PCS 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 of the PCS: Current law makes simple assault, simple assault and battery, or simply 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

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section would amend current law to specify the assaulting a TNC driver providing a TNC service would be a Class A1 misdemeanor.

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. Except as otherwise provided, this act would become effective when it becomes law.