



New York Taxi Workers Alliance

Union of NYC Taxi Drivers!

National TWA, AFL-CIO, Intl. Transport Workers' Federation

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TNCs Lobby for Regulation to DE-Regulate Transportation Service

VOTE NO to S. 4280A and S. 4108C & A. 6090A

Summary of the Proposed Bills

The bills carve out a special area in the law for Transportation Network Companies (TNCs.)

As TNCs, the companies operate as a taxi or for-hire-vehicle but are explicitly EXEMPT from all minimum state requirements for taxis and for-hire-vehicles. That means, local regulators cannot require them to follow these long-established service standards:

- TNCs **cannot be required** to process Driver Fingerprints processed through the New York State Department of Criminal Justice Services
- TNCs **cannot be required** to have a Uniform insurance policy, whether the vehicle is with or without a fare
- TNCs **cannot be required** to charge “just and reasonable rates” or be subject to penalties when this is violated
- TNCs **cannot be required** to Publish rates and notify the Department of Transportation of rate changes
- TNCs **cannot be required** to undergo DOT’s hearing process when passengers allege they have been charged unreasonable rates
- TNCs **cannot be required** to have to Report accidents to the DOT
- TNCs **cannot be required** to Maintain copies of trip records
- TNCs **cannot be required** to follow DOT required maintenance schedule for commercial vehicles
- TNCs cars **cannot be subject** to on-street inspections of vehicles
- TNCs do not have to follow the Corrections Law which prohibits discrimination in hiring based solely on prior criminal convictions
- TNCs **cannot be required** to have Drug testing requirement of drivers
- TNCs **cannot be required** to Pay commercial vehicle registration fees to the state
- TNCs **cannot be required** to Require a Class E DMV Chauffeurs license

TNCs Are Given SPECIAL TREATMENT, And Allowed To Regulate Themselves:

- Have unlimited number of vehicles
- No accessible vehicle requirement
- Vehicle inspections are once a year, same as other private vehicles, or as often as required by the state the car is registered in (In other words, NYS TNC cars would not have to be NYS registered; NJ ended inspection requirements for private vehicles and Pennsylvania is considering to end their annual inspection requirement)

- TNCs are enabled to have lower standards for driving records (TNC drivers can have no more than 3 moving violations within the first 12 months when first signed up. On one hand, the bills prevent a driver with three violations for obstructing an intersection from working, but allow a driver with two 8-point speeding tickets to work.)
- Unlike licensed taxi and FHV drivers, there is no monitoring mechanism to hold TNC drivers to a higher standard than other DMV licensees.
- Requirement that TNC drivers have no level of intoxication while driving was removed from the most recently amended version of the bills.

Taxis and FHVs have insurance policies in effect at all times, regardless of whether the driver is cruising, has a fare or is going home off-duty. In case of a collision, the other party is covered at all times and at the same amount. TNCs Have a Three-Tiered, On-Off Switch for Insurance Coverage:

- A. Driver has accepted a fare: 1 million dollars for death, injury and property damage
- B. Driver is logged on, no fare: \$50,000 for death and bodily injury per person, \$100,000 for death and injury per incident, and \$25,000 for property damage
- C. Driver is logged off: private insurance

The bills usurp local control of a local transportation industry in favor of TNC autonomy:

- Local authorities would not be able to prevent TNCs from coming into their boundaries
- Local authorities are further stripped of any control to regulate TNCs beyond the state bills

Despite a provision of the bill (S. 4280A) which states that the bill does not authorize TNC service in NYC, the bill still exempts TNCs from state law that empowers local governments to regulate taxi and for-hire-vehicle industries.

The bills exempt TNCs from the long-standing reciprocal agreement between New York City and Nassau, Westchester, Rockland and Suffolk Counties to set minimum requirements for taxis and for-hire vehicles and drivers that would cross county lines.

- Local authorities would be required to allow TNCs even if NYC is not. NYC would be required to accept drop-offs or encroachment by TNC drivers with lower standards than licensed NYC taxi and for-hire-vehicle drivers.

The bills would make it a law of New York that no TNC be thought of as an employer. TNCs are given protection to deprive drivers of basic protections:

- No Minimum Wage Requirement
- No Overtime Requirement
- No Social Security Contribution
- No Unemployment Contribution
- No Workers Compensation in case of on-duty injury
- No Disability Insurance in case of off-duty injury or inability to work due to illness
- No rights to a hearing if blocked off the App
- No access to work based on prior criminal record, regardless of time passed or rehabilitation
- No cap on commissions on fares or pass-down costs such as insurance premiums
- No specific guidelines on driver trainings to prepare for the job

For a copy of our OPPOSE Memo or more information, please go to www.nytwa.org or contact us at 718-706-9892 or nytwa1@aol.com