

Requested by Representative MCLAIN

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3023**

1 On page 2 of the printed A-engrossed bill, line 44, delete “person” and
2 insert “transportation network company”.

3 In line 45, delete “as a transportation network company” and delete
4 “person” and insert “transportation network company”.

5 On page 3, line 2, delete “person” and insert “transportation network
6 company” and delete “as a transportation network company”.

7 In line 6, after “licensing” insert “and regulatory”.

8 In line 30, delete “three” and insert “seven”.

9 In line 34, delete “three” and insert “seven”.

10 In line 41, delete “Director” and insert “Department”.

11 On page 4, line 1, delete “a” and insert “an annual”.

12 On page 5, delete lines 29 and 30 and insert:

13 “(2) Before engaging an individual as a participating driver, and at least
14 once each year after the individual becomes a participating driver, a trans-
15 portation network company shall, for the individual:”.

16 In line 36, delete “and”.

17 In line 38, delete the period and insert “; and

18 “(c) Require the completion of an educational and safety course that the
19 Department of Transportation approves by rule.”.

20 On page 6, line 15, delete “10-year” and insert “seven-year”.

21 In line 27, delete “or”.

1 After line 27, insert:

2 “(h) Completed, under the laws of this state, a diversion program for
3 driving under the influence of intoxicants; or”.

4 In line 28, delete “(h)” and insert “(i)”.

5 In line 32, before “company’s” insert “network”.

6 On page 7, after line 9, insert:

7 “(f) A participating driver may not remain connected to the transporta-
8 tion network company’s digital network, and may not provide or be available
9 to provide prearranged rides, for more than 14 consecutive hours in any
10 24-hour period.”.

11 In line 23, delete “two” and insert “seven”.

12 On page 8, line 24, delete “Transporta-” and insert “the Department of
13 Consumer and Business Services”.

14 In line 25, delete “tion”.

15 After line 42, insert:

16 “(10) This section does not prohibit an airport or other transportation
17 authority from requiring the maximum automobile liability insurance cover-
18 age allowed or required by law at all times during which a participating
19 driver is providing a prearranged ride or is connected to a digital network
20 and available to provide a prearranged ride in or on property that is subject
21 to the airport’s or transportation authority’s jurisdiction or control.”.

22 On page 9, delete lines 40 through 45 and insert:

23 **“SECTION 10.** (1)(a) The Department of Transportation may:

24 “(A) Inspect each quarter a random sample of records that a transporta-
25 tion network company maintains under section 4 (1)(a) and (b) of this 2019
26 Act solely for the purpose of verifying that the transportation network
27 company is complying with sections 1 to 15 of this 2019 Act. If after the in-
28 itial inspection the department reasonably concludes that the transportation
29 network company is not complying with sections 1 to 15 of this 2019 Act, the
30 department may conduct an additional random inspection of the transporta-

1 tion network company's records.

2 "(B) Inspect transportation network company documents that are neces-
3 sary to investigate and resolve a specific complaint against the transporta-
4 tion network company or a participating driver.

5 "(b) The department shall agree with the transportation network company
6 on a method for choosing a sample for inspection under paragraph (a) of this
7 subsection and on a location at which the inspection occurs."

8 On page 10, delete lines 1 through 3.

9 Delete lines 27 through 34 and insert:

10 "(4) The department or a local government may enter into an agreement
11 with a transportation network company to share data for the purposes of
12 transportation planning. The agreement may provide for sharing:

13 "(a) The total number of prearranged rides that participating drivers as-
14 sociated with the transportation network company provided;

15 "(b) The city in which a prearranged ride began or ended; and

16 "(c) The number of prearranged rides in which a rider required a trans-
17 portation network company vehicle that could accommodate an individual
18 with a physical disability.

19 "**SECTION 11.** (1) The Department of Transportation may enter into an
20 intergovernmental agreement with a state agency or a local government to
21 enforce sections 4 (1)(c) and (d) and 8 of this 2019 Act. The agreement must
22 include provisions that facilitate cooperation in, and prevent duplication and
23 expenses of, enforcement activities.

24 "(2) The department by rule shall establish guidelines for state agency
25 and local government actions to enforce sections 4 (1)(c) and (d) and 8 of this
26 2019 Act. The guidelines must include a requirement that each state agency
27 or local government report to the department and to the affected transpor-
28 tation network company when the state agency or local government takes
29 an enforcement action or issues a citation or fine for a violation."

30 In line 35, delete "(4)" and insert "(3)".

1 In line 40, delete “(6)” and insert “(5)”.

2 In line 43, delete “(5)” and insert “(4)”.

3 On page 11, line 1, delete “(4)” and insert “(3)”.

4 In line 4, delete “(4)” and insert “(3)”.

5 In line 8, delete “(6)” and insert “(5)”.

6 In line 9, delete “(4)” and insert “(3)”.

7 In line 14, delete “100,000” and insert “90,000”.

8 Delete lines 15 through 17 and insert:

9 “(b) The local governments of two or more cities:

10 “(A) That have a combined population greater than 90,000;

11 “(B) That have entered into an intergovernmental agreement to jointly
12 run a transportation program for people who use wheelchairs; and

13 “(C) The jurisdictions of which extend not more than 15 radial miles from
14 the boundary of the largest city that is a party to the intergovernmental
15 agreement.”.

16 In line 23, delete the period and insert “within the area that is subject
17 to the jurisdiction of the qualifying governmental body.

18 “(b) A qualifying governmental body may require as part of a transpor-
19 tation program described in paragraph (a) of this subsection that the fee that
20 a transportation network company charges to a rider who uses a fixed-frame
21 wheelchair may not vary as a consequence of the time at or location in
22 which the prearranged ride began or ended.”.

23 In line 24, delete “(b)” and insert “(c)”.

24 In line 27, delete “(c)” and insert “(d)”.

25 In line 29, delete “(b)” and insert “(c)”.

26 On page 12, line 4, after “with” insert “manufacturers of charging stations
27 and”.

28 Delete lines 8 through 28 and insert:

29 “(5) On January 1 of each even-numbered year following January 1, 2022,
30 the department by rule may adjust the fees described in subsection (1) of this

1 section, taking into consideration any change that occurred during the pre-
2 vious two years in the Consumer Price Index for All Urban Consumers, West
3 Region (All Items), as published by the Bureau of Labor Statistics of the
4 United States Department of Labor.

5 **“SECTION 14.** Section 13 of this 2019 Act is amended to read:

6 **“Sec. 13.** (1)(a) The Department of Transportation may by rule impose on
7 a transportation network company[:]

8 “[A)] a fee in an amount the department specifies for each prearranged
9 ride for the purpose of administering the provisions of sections 1 to 15 of this
10 2019 Act[: and]

11 “[B) *A fee of two cents for each prearranged ride for the purpose of de-*
12 *ploying throughout this state charging stations and related infrastructure for*
13 *electric vehicles].*

14 “(b) The department shall deposit the moneys the department receives
15 under this subsection into the State Treasury to the credit of a subaccount
16 the department establishes for the [purposes] **purpose** set forth in this sub-
17 section. Moneys in the subaccount are continuously appropriated to the de-
18 partment for the [purposes] **purpose** set forth in this subsection.

19 “(2) A transportation network company not later than 45 days after the
20 end of each calendar quarter shall remit to the department the fees the
21 transportation network company collected for the [purposes] **purpose** set
22 forth in subsection (1) of this section.

23 “[3) *Subsection (1)(a)(B) of this section does not apply to a prearranged*
24 *ride that a transportation network company provides by means of an electric*
25 *vehicle.]*

26 “[4) *Before disbursing moneys for the purpose of providing charging*
27 *stations and related infrastructure, the department shall consult with man-*
28 *ufacturers of charging stations and each transportation network company from*
29 *which the department received the proceeds of the fee the department imposed*
30 *under subsection (1)(a)(B) of this section as to the type and location of all*

1 *charging stations and related infrastructure that the moneys will fund.]*

2 “[5] (3) On January 1 of each even-numbered year following January 1,
3 2022, the department by rule may adjust the [*fees*] **fee** described in subsection
4 (1) of this section, taking into consideration any change that occurred during
5 the previous two years in the Consumer Price Index for All Urban Consum-
6 ers, West Region (All Items), as published by the Bureau of Labor Statistics
7 of the United States Department of Labor.”.

8 On page 14, line 43, delete “Director” and insert “Department”.

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