

ASSEMBLY, No. 2977

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires transportation network company to provide live customer service representative and certain notification to riders.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/25/2020)

1 **AN ACT** requiring transportation network companies to provide a
2 live customer service representative and certain notification to
3 riders and supplementing and amending P.L.2017, c.26.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. (New section) a. A transportation network company shall
9 promptly provide a transportation network company rider with
10 electronic notification when:

11 (1) information associated with the account the rider maintains
12 with the transportation network company is updated, including
13 when a change is made to the password, email address, or telephone
14 number associated with the rider's account; and

15 (2) the account the rider maintains with the transportation
16 network company has been used to request or take an unusual
17 number or frequency of prearranged rides or has been used to
18 request or take prearranged rides that deviates substantially from an
19 historic pattern of prearranged rides requested or taken by the rider.

20 b. Notification shall be provided to the transportation network
21 company rider no later than 48 hours after one of the circumstances
22 in subsection a. has occurred.

23 c. A transportation network company shall make available to a
24 transportation network company rider a live customer service
25 representative of the transportation network company that a rider
26 may contact 24 hours a day through the transportation network
27 company's digital network, by telephone, or by other electronic
28 means to:

29 (1) resolve issues pertaining to changes made to information
30 associated with the account the rider maintains with the
31 transportation network company, including a change made to the
32 password, email address, or telephone number associated with the
33 rider's account; and

34 (2) dispute charges for prearranged rides that the rider did not
35 request or take.

36 d. A transportation network company shall annually submit to
37 the New Jersey Motor Vehicle Commission a written description of
38 how the transportation network company will comply with the
39 notification requirements established pursuant to this section.

40
41 2. Section 4 of P.L.2017, c.26 (C.39:5H-4) is amended to read
42 as follows:

43 4. a. The commission shall issue a transportation network
44 company a permit to allow for the lawful operation of a

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 transportation network company in this State upon receipt of the
2 following information:

3 (1) proof of insurance as required pursuant to section 10 of
4 P.L.2017, c.26 (C.39:5H-10);

5 (2) proof that the transportation network company is registered
6 as a business in this State;

7 (3) a written description of the transportation network
8 company's zero tolerance policy, as required by section 14 of
9 P.L.2017, c.26 (C.39:5H-14);

10 (4) a written description of the transportation network
11 company's policy of non-discrimination, as required by section 15
12 of P.L.2017, c.26 (C.39:5H-15); **【and】**

13 (5) a written description of how the transportation network
14 company will comply with the criminal background check
15 requirements pursuant to section 17 of P.L.2017, c.26 (C.39:5H-
16 17); and

17 (6) a written description of how the transportation network
18 company will comply with the notification requirements pursuant to
19 section 1 of P.L. , c. (C.) (pending before the Legislature
20 as this bill).

21 b. A transportation network company shall pay an initial and
22 annual permit fee of \$25,000.

23 c. The commission may revoke the permit, after notice and a
24 hearing, if the transportation network company fails to comply with
25 the provisions of P.L.2017, c.26 (C.39:5H-1 et seq.) and any
26 amendments or supplements thereto.

27 d. A transportation network company shall not operate in this
28 State prior to obtaining a permit from the commission; except that,
29 any transportation network company registered as a business in the
30 State or operating in the State prior to the effective date of
31 P.L.2017, c.26 (C.39:5H-1 et seq.) may continue to operate in this
32 State until the commission issues a written decision regarding the
33 transportation network company's permit application, provided that
34 the transportation network company has conducted a driving record
35 check of each driver that logs on to the transportation network
36 company's digital network as a driver and provides to the
37 commission proof of insurance required pursuant to section 10 of
38 P.L.2017, c.26 (C.39:5H-10).

39 e. A transportation network company registered as a business
40 in the State or operating in the State prior to the effective date of
41 P.L.2017, c.26 (C.39:5H-1 et seq.) shall apply to the commission
42 for a permit pursuant to this section on or before the 30th day after
43 the commission begins accepting permit applications.

44 f. A transportation network company that operates without a
45 permit in violation of this section shall be subject to a penalty of
46 \$500. Actions to impose a penalty under this subsection shall be
47 brought, and the penalty shall be collected, in a summary
48 proceeding pursuant to the "Penalty Enforcement Law of 1999,"

1 P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court shall
2 have jurisdiction to hear any action brought pursuant to this
3 subsection. All penalties collected pursuant to this subsection shall
4 be forwarded as provided in R.S.39:5-40 and subsection b. of
5 R.S.39:5-41. If the violation is of a continuing nature, each day
6 during which it continues shall constitute an additional, separate,
7 and distinct offense.

8 (cf: P.L.2017, c.26, s.4)

9
10 3. This act shall take effect immediately.

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13 STATEMENT

14
15 This bill requires a transportation network company (TNC) to
16 promptly notify a TNC rider (rider) by electronic means when
17 information associated with the account the rider maintains with the
18 TNC is updated, including when a change is made to the password,
19 email address, or telephone number associated with the rider's
20 account. A TNC is also to provide electronic notification to a rider
21 when the account the rider maintains with the TNC has been used to
22 request or take an unusual number or frequency of prearranged rides
23 or has been used to request or take prearranged rides that deviates
24 substantially from an historic pattern of prearranged rides requested
25 or taken by the rider. The bill requires a TNC to notify a rider no
26 later than 48 hours after one of these circumstances has occurred.

27 A TNC is required to submit to the New Jersey Motor Vehicle
28 Commission (MVC) a written description of how the TNC will
29 comply with these notification requirements in order to be issued a
30 TNC permit to lawfully operate in the State. A TNC is also
31 required to submit the written description to the MVC on an annual
32 basis.

33 The bill requires a TNC to make available to riders a live
34 customer service representative of the transportation network
35 company that a rider may contact 24 hours a day to resolve issues
36 pertaining to changes made to information associated with the
37 account the rider maintains with the TNC and to dispute charges for
38 prearranged rides that the rider did not request or take.