

ASSEMBLY, No. 3491

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires certain transportation services to report crime statistics to AG annually.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** requiring certain transportation services to report crime
2 statistics to the Attorney General annually, and amending and
3 supplementing various parts of statutory law.

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

7
8 1. Section 4 of P.L.2017, c.26 (C.39:5H-4) is amended to read
9 as follows:

10 4. a. The commission shall issue a transportation network
11 company a permit to allow for the lawful operation of a
12 transportation network company in this State upon receipt of the
13 following information:

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

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

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

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

24 (5) a written description of how the transportation network
25 company will comply with the criminal background check
26 requirements pursuant to section 17 of P.L.2017, c.26 (C.39:5H-
27 17).

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

30 c. The commission may revoke the permit, after notice and a
31 hearing, if the transportation network company fails to comply with
32 the provisions of P.L.2017, c.26 (C.39:5H-1 et seq.) or section 2 of
33 P.L. , c. (C.) (pending before the Legislature as this bill).

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

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

6 f. A transportation network company that operates without a
7 permit in violation of this section shall be subject to a penalty of
8 \$500. Actions to impose a penalty under this subsection shall be
9 brought, and the penalty shall be collected, in a summary
10 proceeding pursuant to the "Penalty Enforcement Law of 1999,"
11 P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court shall
12 have jurisdiction to hear any action brought pursuant to this
13 subsection. All penalties collected pursuant to this subsection shall
14 be forwarded as provided in R.S.39:5-40 and subsection b. of
15 R.S.39:5-41. If the violation is of a continuing nature, each day
16 during which it continues shall constitute an additional, separate,
17 and distinct offense.

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

19
20 2. (New section) a. Every transportation network company
21 operating in this State shall submit an annual report to the Attorney
22 General, on forms prescribed by the Attorney General, which shall
23 contain the number and nature of criminal offenses reported by
24 drivers and riders of the transportation network company in the
25 course of a prearranged ride; the disposition of such matters, if any;
26 and any other such information as the Attorney General may
27 require, including, but not limited to, information relating to cause
28 and prevention of such crimes.

29 A transportation network company that fails to provide the
30 information required pursuant to this section shall be subject to the
31 revocation of the transportation network company's permit to
32 operate, pursuant to the provisions of section 4 of P.L.2017, c.26
33 (C.39:5H-4).

34 b. Upon receipt of the information required pursuant to
35 subsection a. of this section, the Attorney General shall compile
36 statistics based upon the data provided, classify the volume and
37 nature of crimes occurring during the course of prearranged rides
38 within this State, and, if necessary, make recommendations to the
39 Governor and the Legislature for the prevention of such crimes.

40
41 3. R.S.48:16-12 is amended to read as follows:

42 R.S.48:16-12. Any person who shall operate an autocab in any
43 street in this **State** without complying with the provisions of
44 this article shall be guilty of a misdemeanor or subject to revocation
45 of municipal consent to operate pursuant to R.S.48:16-10.

46 (cf: R.S.48:16-12)

1 4. (New section) a. Every owner of an autocab operating in
2 this State shall submit an annual report to the Attorney General, on
3 forms prescribed by the Attorney General, which shall contain the
4 number and nature of criminal offenses reported by drivers and
5 riders in the course of an autocab ride; the disposition of such
6 matters, if any; and any other such information as the Attorney
7 General may require, including, but not limited to, information
8 relating to cause and prevention of such crimes.

9 The owner of an autocab that fails to provide the information
10 required pursuant to this section shall be subject to revocation of
11 municipal consent to operate, pursuant to R.S.48:16-10.

12 b. Upon receipt of the information required pursuant to
13 subsection a. of this section, the Attorney General shall compile
14 statistics based upon the data provided, classify the volume and
15 nature of crimes occurring during the course of autocab rides within
16 this State, and, if necessary, make recommendations to the
17 Governor and the Legislature for the prevention of such crimes.

18
19 5. R.S.48:16-22 is amended to read as follows:

20 48:16-22. **【No】** A person shall not operate a limousine service
21 in any street in this State without a license to operate issued by a
22 municipality in which the owner has **【his】** the owner's principal
23 place of business and without otherwise complying with the
24 provisions of this article. Any person who shall operate an
25 limousine in any street in this State without complying with the
26 provisions of this article shall be subject to revocation of the license
27 to operate.

28 A license to operated granted by a municipality may be revoked
29 by the municipality granting the same, after notice and hearing,
30 whenever it shall appear that the person to whom the consent was
31 granted has failed to comply the provisions required by this article,
32 or any law of this State.

33 (cf: P.L.1999, c.356, s.10)
34

35 6. (New section) a. Every person who owns a limousine
36 service operating in this State shall submit an annual report to the
37 Attorney General, on forms prescribed by the Attorney General,
38 which shall contain the number and nature of criminal offenses
39 reported by drivers and riders in the course of the limousine service;
40 the disposition of such matters, if any; and any other such
41 information as the Attorney General may require, including, but not
42 limited to, information relating to cause and prevention of such
43 crimes.

44 The owner of a limousine service that fails to provide the
45 information required pursuant to this section shall be subject to
46 revocation of a license to operate, pursuant to R.S.48:16-22.

47 b. Upon receipt of the information required pursuant to
48 subsection a. of this section, the Attorney General shall compile

1 statistics based upon the data provided, classify the volume and
2 nature of crimes occurring during the course of a limousine service
3 within this State, and, if necessary, make recommendations to the
4 Governor and the Legislature for the prevention of such crimes.

5
6 7. This act shall take effect on the first day of January
7 following the enactment of this bill.

8
9
10 STATEMENT

11
12 This bill requires transportation network companies, autocab
13 (taxi) owners, and limousine service owners, collectively referred to
14 as transportation services, operating in the State to submit an annual
15 report the Attorney General containing the number and nature of
16 criminal offenses reported by drivers and riders of those
17 transportation services. The report is also to contain the disposition
18 of such crimes, if any, and any other information the Attorney
19 General deems necessary, including, but not limited to, information
20 relating to the cause and prevention of such crimes. Upon receipt
21 of the reports, the Attorney General is required to compile statistics,
22 classify the volume and nature of crimes occurring during rides
23 provided by the transportation services, and, if necessary, make
24 recommendations to the Governor and the Legislature for the
25 prevention of such crimes.

26 The bill also provides that any owner of a transportation service
27 that fails to provide the information required under the bill will be
28 subject to the revocation of the transportation service's authority to
29 operate.