

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 391
PROPOSED COMMITTEE SUBSTITUTE H391-CSBG-31 [v.3]
04/10/2019 04:45:26 PM

Short Title: Passenger Protection Act.

(Public)

Sponsors:

Referred to:

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO AMEND SAFETY REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Passenger Protection Act" and may be cited by that name.

SECTION 2. G.S. 20-280.5 reads as rewritten:

"§ 20-280.5. Safety requirements.

(a) The transportation network company must require TNC drivers have their vehicles inspected annually to meet State safety requirements. The Division may, by regulation, specify alternative inspections that are acceptable as equivalent inspections, such as an inspection performed in another state. This subsection does not apply to brokering transportation network companies.

(b) The transportation network company's online-enabled application or platform must provide the following information to customers after a ride request is accepted by a TNC driver:

- (1) Photograph of the TNC driver.
- (2) License plate number of the TNC driver's vehicle.
- (3) Description of the TNC driver's vehicle.
- (4) Approximate location of the TNC driver's vehicle displayed on a map.

(c) The transportation network company must maintain the following records:

- (1) The record of each TNC service provided in this State for one year from the date the TNC service occurred.
- (2) The record of each TNC driver in this State for one year from the date the TNC driver terminated their relationship with the transportation network company.

(d) The transportation network company must require TNC drivers to display a consistent and distinctive signage or emblems, which must be known as a trade dress, trademark, branding, or logo of the TNC, on their vehicle at all times when the TNC driver is active on the TNC digital platform or when providing any TNC service. The TNC signage or emblems required by this subsection, may be magnetic or removable in nature, and must be approved by the Division before its use and meet all of the following requirements:

- (1) Be readable during daylight hours at a distance of fifty feet.
- (2) Include an illuminated, TNC-provided, sign displaying the TNC's proprietary trademark or logo that is clearly visible so as to be seen in darkness.

(e) When a TNC driver's relationship with a transportation network company is terminated, all signage and emblems, including the illuminated signage described in subsection



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1 (d), must be returned to the TNC within ten days. A TNC must report the driver's name and last
2 known address, and a list of the specific signage or emblems the driver failed to return, to the
3 Division in writing when the TNC does not receive back all TNC-provided signage or emblems
4 furnished to that driver. If a driver cannot return TNC-provided signage or emblems as required
5 by this subsection they must provide a signed and witnessed affidavit to the TNC explaining why
6 the particular signage or emblems could not be returned."

7 **SECTION 3.** This act is effective when it becomes law.