

SENATE No. 1157

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regulating labor standards for transportation network drivers.

PETITION OF:

NAME:

Sal N. DiDomenico

DISTRICT/ADDRESS:

Middlesex and Suffolk

SENATE No. 1157

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1157) of Sal N. DiDomenico for legislation to regulate labor standards for transportation network drivers. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1181 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act regulating labor standards for transportation network drivers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 159 A½ of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended by adding the following sections:-

3 Section 12. For purposes of this section, “potential rider” is defined as an individual who
4 seeks and confirms through a ride sharing application for transportation from a location to a
5 subsequent location. (a) A transportation network company shall pay to a driver not less than 80
6 per cent of the: (i) fare collected from each pre-arranged ride completed; and (ii) fee collected for
7 each ride cancelled at the request of a potential rider. Each transportation network company shall
8 provide a quarterly report of such payments to the department. The report shall include the: (i)
9 number of pre-arranged rides completed by its drivers during the quarter; (ii) fare amount
10 collected from each completed ride during the quarter; (iii) fee amount collected for each ride

11 cancelled at the request of a potential rider; and (iv) total amount paid to all the transportation
12 network drivers during the quarter.

13 (b) The department shall collect 5 cents from the fare collected by a transportation
14 network company for each completed pre-arranged ride. The amounts collected shall be reserved
15 for compensation to drivers and their families for wage replacement and medical costs in matters
16 where a driver is injured while working. The shares collected shall be placed into the
17 Transportation Network Company Drivers Fund established in section 2LLLLL of chapter 29.

18 (c) Violations of this section shall be subject to section 6.

19 Section 13. Every five years, the city council or select board of each municipality shall
20 assess and determine a pre-set number of permits under this chapter to be granted to a
21 transportation network company or transportation network driver for a transportation network
22 company for operation within the municipality.

23 SECTION 2. Notwithstanding and special or general law to the contrary, the department
24 of public utilities shall conduct a study on the prospective adoption of issuing vehicle utilization
25 standards and regulations on limiting the number of issued transportation network company
26 vehicle licenses in the commonwealth. The report shall include: (i) the potential costs to the
27 commonwealth, including the cost to each municipality; (ii) the effect on the residents of the
28 commonwealth, including environmental burdens, affects on environmental justice communities
29 and gateway communities, and traffic congestion in each municipality; and (iii) the department's
30 recommendations on addressing the aforementioned burdens based on the collected data. During
31 the course of the study, the commonwealth shall not issue any new ride share vehicle permits,

32 with an exception of wheelchair accessible vehicles. The department shall publish the report on
33 its website not later than 1 year after the effective date of this act.

34 SECTION 3. Subsection (b) of section 13 of chapter 159A½ of the General Laws shall
35 take effect upon the publishing of the study required pursuant section 2.

36 SECTION 4. This act shall take effect on July 1, 2023.