HOUSE DOCKET, NO. 1915 FILED ON: 1/17/2019

HOUSE . . . . . No. 1039

The Commonwealth of Massachusetts

PRESENTED BY:

Jay D. Livingstone and Adrian C. Madaro

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 to reduce congestion and encourage shared rides.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jay D. Livingstone	*8th Suffolk*	*1/17/2019*
Adrian C. Madaro	*1st Suffolk*	*3/19/2019*
Peter Capano	*11th Essex*	*1/23/2019*
Mike Connolly	*26th Middlesex*	*1/24/2019*
David M. Rogers	*24th Middlesex*	*1/24/2019*
Christine P. Barber	*34th Middlesex*	*1/27/2019*
José F. Tosado	*9th Hampden*	*1/29/2019*
Jennifer E. Benson	*37th Middlesex*	*1/30/2019*
Paul McMurtry	*11th Norfolk*	*1/30/2019*
Carmine Lawrence Gentile	*13th Middlesex*	*1/30/2019*
Natalie M. Higgins	*4th Worcester*	*1/30/2019*
Christina A. Minicucci	*14th Essex*	*1/31/2019*
Harold P. Naughton, Jr.	*12th Worcester*	*1/31/2019*
Andres X. Vargas	*3rd Essex*	*1/31/2019*
Jonathan Hecht	*29th Middlesex*	*1/31/2019*
Liz Miranda	*5th Suffolk*	*2/1/2019*
Maria Duaime Robinson	*6th Middlesex*	*2/1/2019*
Jon Santiago	*9th Suffolk*	*2/1/2019*

Jack Patrick Lewis	*7th Middlesex*	*2/1/2019*
Michelle L. Ciccolo	*15th Middlesex*	*2/1/2019*
Kay Khan	*11th Middlesex*	*2/1/2019*
Brendan P. Crighton	*Third Essex*	*2/1/2019*
Daniel R. Cullinane	*12th Suffolk*	*2/1/2019*

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By Messrs. Livingstone of Boston and Madaro of Boston, a petition (accompanied by bill, House, No. 1039) of Jay D. Livingstone, Adrian C. Madaro and others for legislation to encourage transportation network company pre-arranged shared rides. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to reduce congestion and encourage shared rides.

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

SECTION 1. Section 8 of Chapter 187 of the Acts of 2016 is hereby amended by striking (b) and replacing with the following section:

(b) Annually, not later than February 1, each transportation network company shall submit to the director of the division established in section 23 of chapter 25 the number of rides from the previous calendar year that originated in each city or town and the amount collected from rider-assessments. Notwithstanding any other law, a rider-assessment is to be charged as follows:

(i) Four and one-quarter percent of net rider fares for a shared ride in which, prior to the commencement of the pre-arranged ride, a passenger requests through the transportation network company's digital network, to share the ride with one or more passengers and each passenger is charged a fare that is calculated in whole or in part, based on the passenger's request

to share all or part of the ride with one or more passengers, regardless of whether the passenger actually shares all or part of the ride.

(ii) Six and one-quarter percent of the net ride fare for a pre-arranged ride other than a ride described in (i).

Not later than June 30, the director shall post on the division's website the aggregate number of rides from the previous calendar year originating within each city or town.

SECTION 2. Section 1 of Mass General Laws Chapter 159A½ is amended by adding the following definitions:

"Pooled ride", a for-hire transportation trip, in which, prior to the commencement of the ride, a passenger requests a pre-arranged ride through the transportation network company's digital network to share the ride with one or more passengers, that separately request transportation and are each charged the same predetermined amount per ride, or are billed independently for a ride in an amount that is proportionate to the transportation they receive, regardless of whether the passenger actually shares all or part of the ride.

"For-Hire Transportation Trip", a ride in which, prior to the commencement of the ride, a passenger requests a pre-arranged ride through the transportation network company's digital network as a single passenger between points chosen by the passenger, regardless of the number of stops. This shall not include transportation provided by, or pursuant to a contract with a state agency or an institution.

SECTION 3. Section 2 of Chapter 159A½ as appearing in the 2016 Official Edition, is amended as follows:

(d) A transportation network company shall provide clear and conspicuous transportation fare estimates to riders at all times, including during surge pricing, high volume and demand times. Fare estimates shall include a clear rate estimate or the amount of price increase resulting from surge pricing or increased demand and shall show the price difference between the cost of a shared-ride and a single-occupancy ride.

SECTION 4. Section 10 of Chapter 159A½ as appearing in the 2016 Official Edition, is amended as follows:

(a) A municipality identified in the fourteen cities or towns defined in Chapter 161A, section 1, that accepts the provisions of this section, may impose a congestion assessment of no more than $2.25 per ride during regular MBTA service hours. These funds would be dedicated for municipal investment in public transportation, bicycle and pedestrian investments, and electric vehicle charging infrastructure.

(b) Other than those municipalities identified in (a), no municipality or other local state entity, except the Massachusetts Port Authority, may: (i) impose a tax on or require any additional license for a transportation network company, a transportation network driver or a vehicle used by a transportation network driver where the tax or licenses relate to facilitating or providing pre-arranged rides; (ii) require any additional license for a transportation network company or transportation network driver; or (iii) subject a transportation network company to the municipality's or other local or state entity's rates or other requirements, including but not limited to entry or operational requirements; provided, however, that a municipality or other local or state entity may regulate traffic flow and traffic patterns to ensure public safety and convenience.

SECTION 5. Section 11 of Chapter 159A½ as appearing in the 2016 Official Edition, is amended as follows:

The division shall promulgate regulations necessary for the implementation, administration and enforcement of this chapter. In addition to existing regulations, the division shall (i) create regulations regarding data sharing, provided, however, that all data shall be safely secured and, where appropriate, encrypted or limited and used for the purposes of public safety, congestion management and transportation planning, including curbside management, road improvements, traffic management, transit service planning and the allocation of public monies for those purposes; (ii) consider practices to disclose or report information to cities and towns, the Massachusetts Department of Transportation, and regional planning agencies; and (iii) determine what information must be collected from transportation network companies to effectuate the purposes outlined in (i).