

The Commonwealth of Massachusetts

INITIATIVE PETITION OF CHARLES DEWEY ELLISON, III AND
OTHERS.

OFFICE OF THE SECRETARY.

BOSTON, JANUARY 10, 2024.

Steven T. James
Clerk of the House of Representatives
State House
Boston, Massachusetts 02133

Sir: — I herewith transmit to you, in accordance with the requirements of Article XLVIII of the Amendments to the Constitution an “Initiative Petition for a Law Establishing that App-Based Drivers are not Employees, and Network Companies are not Employers, for Certain Purposes of the General Laws,” signed by ten qualified voters and filed with this department on or before December 6, 2023, together with additional signatures of qualified voters in the number of 92,555, being a sufficient number to comply with the Provisions of said Article.

Sincerely,

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth.

AN INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, as amended, the undersigned qualified voters of the Commonwealth, ten in number at least, hereby petition for the enactment into law of the following measure:

HOUSE No. 4259

The Commonwealth of Massachusetts

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

An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the General Laws.

Be it enacted by the People, and by their authority, as follows:

1 SECTION 1. Section 148B of chapter 149 of the General Laws is hereby amended by
2 inserting after subsection (e) the following subsection:

3 (f) Notwithstanding subsection (a), for the purpose of this chapter and chapter 151, an
4 app-based driver, as defined in chapter 159AA, shall not be an employee under those chapters.

5 SECTION 2. Section 6 of chapter 151A of the General Laws is hereby amended by
6 inserting after subsection (x) the following subsection:

7 (y) Service performed by an app-based driver, as defined in chapter 159AA.

8 SECTION 3 Subsection (4) of section 1 of chapter 152 of the General Laws is hereby
9 amended by striking out the words "and (g)" and inserting in place thereof the following words:-

10 (g) a person who is an app-based driver, as defined in chapter 159AA, and (h)

11 SECTION 4. The General Laws are hereby amended by inserting after chapter 159A1/2
12 the following chapter:

13 Chapter 159AA

14 Section 1. Title. This chapter shall be known as the "Relationship Between Network
15 Companies and App-Based Drivers Act."

16 Section 2. Purpose. The purpose of this chapter is to define and regulate the relationship
17 between network companies and app-based drivers. The chapter requires network companies to
18 provide app-based drivers with minimum compensation, healthcare stipends, earned paid sick
19 time, and occupational accident insurance that will operate uniformly throughout the
20 commonwealth, while protecting app-based drivers' freedom and flexibility to choose when, how
21 long, how often, and for whom they work.

22 Section 3. App-Based Driver Contractual Requirements. (a) The requirements in this
23 section and sections 5 through 8 of this chapter are incorporated into every contract made,
24 modified, or renewed on or after the effective date of this chapter between an app-based driver
25 and a network company with regard to delivery services or transportation services. Such
26 contracts may contain supplemental terms that are in addition to those required by this chapter.

27 (b) A network company shall not terminate a contract with an app-based driver,
28 except on grounds specified in the contract or as is required by law.

29 (c) A contract between a network company and an app-based driver shall provide
30 app-based drivers whose contracts are terminated by the network company the opportunity to
31 appeal such termination with the network company.

32 (d) A network company shall not, unless based upon a bona fide occupational
33 qualification or public or app-based driver safety need, refuse to contract with or terminate the

34 contract of an app-based driver based upon race, color, age, religious creed, national origin, sex,
35 gender identity, genetic information, ancestry, active military personnel, status as a veteran,
36 pregnancy or a condition related to said pregnancy including, but not limited to, lactation or the
37 need to express breast milk for a nursing child, or the handicap of a qualified handicapped person
38 or sexual orientation, which shall not include persons whose sexual orientation involves minor
39 children as the sex object.

40 (e) Nothing in this chapter applies to any contract in existence before the effective
41 date of this chapter.

42 Section 4. Definitions. For the purposes of this chapter, the following words shall have
43 the following meanings:

44 "App-based driver", a person who is a DNC courier, a TNC driver, or both, who has a
45 contract with a network company, and for whom the following requirements are met:

46 (a) the network company does not unilaterally prescribe specific dates, times of day,
47 or a minimum number of hours during which the app-based driver must be logged into the
48 network company's online-enabled application or platform;

49 (b) the network company may not terminate the contract of the app-based driver for
50 not accepting a specific transportation service or delivery service request except where refusal
51 constitutes a violation of governing federal, state, or local laws or regulations;

52 (c) the network company does not restrict the app-based driver from performing
53 services through other network companies except while performing services through the network
54 company's online-enabled application or platform; and

55 (d) the network company does not contractually restrict the app-based driver from
56 working in any other lawful occupation or business.

57 "Average ACA contribution", 82 per cent of the dollar amount of the average monthly
58 Health Connector premium.

59 "Average hourly earnings", an app-based driver's earnings during the 365 days
60 immediately prior to the day that earned paid sick time is used, divided by the total hours of
61 engaged time worked by the app-based driver on that network company's online-enabled
62 application or platform during that period.

63 "Average monthly Health Connector premium", the dollar amount published pursuant to
64 subsection (f) of section 6 of this chapter.

65 "Contract", a written agreement, which may be electronic, between an app-based driver
66 and a network company.

67 "Delivery Network Company" or "DNC", a business entity that (a) maintains an online-
68 enabled application or platform used to facilitate delivery services within

69 the Commonwealth and (b) maintains a record of the amount of engaged time and
70 engaged miles accumulated by DNC couriers.

71 "Delivery Network Company Courier" or "DNC courier", a person who provides delivery
72 services through a DNC's online-enabled application or platform.

73 "Delivery services", the fulfillment of a delivery request, meaning the pickup from any
74 location in the Commonwealth of any item or items and the delivery of the items using a private
75 passenger motor vehicle, bicycle, electric bicycle, motorized bicycle, scooter, motorized scooter,

76 walking, public transportation, or other similar means of transportation, to a location selected by
77 the customer located within 50 miles of the pickup location. A delivery request may include
78 more than 1, but not more than 30, distinct orders placed by different customers. Delivery
79 services may include the selection, collection, or purchase of items by a DNC courier, as well as
80 other tasks incident to a delivery. Delivery services do not include assistance with residential
81 moving services.

82 "Earnings", all amounts, including incentives and bonuses, remitted to an app-based
83 driver by a network company, provided that the amount does not include toll fees, cleaning fees,
84 airport fees, or other customer pass-throughs. Amounts remitted are net of service fees or similar
85 fees charged to the app-based driver by the network company. Amounts remitted do not include
86 tips or gratuities.

87 "Earnings period", a recurring period of time, set by the network company, not to exceed
88 14 consecutive calendar days.

89 "Engaged miles", all miles traveled during engaged time in a private passenger motor
90 vehicle that is not owned, leased, or rented by the network company, or any of its affiliates.
91 Network companies may exclude miles if doing so is reasonably necessary to remedy or prevent
92 fraudulent use of the network company's online-enabled application or platform.

93 "Engaged time", (a) subject to the conditions set forth in subsection (b) in this definition,
94 the period of time, as recorded in a network company's online-enabled application or platform,
95 from when an app-based driver accepts a request for delivery or transportation services to when
96 the driver fulfills that request. For requests that are scheduled in advance and for which the app-
97 based driver accepts the request but is not immediately en route to fulfill that request, a driver

98 shall only be considered engaged on a network company's platform when the app-based driver is
99 en route to fulfill that scheduled request, regardless of when the app-based driver accepted the
100 request.

101 (b) Engaged time shall not include (1) any time spent performing delivery or
102 transportation services after the request has been cancelled by the customer; or (2) any time spent
103 on a request for delivery or transportation services where the app-based driver abandons
104 performance of the service prior to completion. Network companies may also exclude time if
105 doing so is reasonably necessary to remedy or prevent fraudulent use of the network company's
106 online-enabled application or platform.

107 "Health Connector", the Commonwealth Health Insurance Connector Authority
108 established by chapter 58 of the acts of 2006 and section 2 of chapter 176Q of the Massachusetts
109 General Laws.

110 "Minimum wage", the state mandated minimum wage for all industries as provided by
111 section 1 of chapter 151 of the Massachusetts General Laws.

112 "Net earnings", all earnings received by an app-based driver in an earnings period.

113 "Net earnings floor", means the amount determined under subsection (c) of Section 5 of
114 this chapter, against which an app-based driver's net earnings are compared.

115 "Network company", a business entity operating as:

116 (a) a delivery network company;

117 (b) a transportation network company; or

118 (c) both.

119 "Person", shall have the same definition as provided in clause twenty-third of section 7
120 of chapter 4 of the Massachusetts General Laws.

121 "Private passenger motor vehicle," any passenger vehicle which has a vehicle weight
122 rating or curb weight of 6,000 lbs. or less as per manufacturer's description of said vehicle or is a
123 sport utility vehicle, passenger van, or pickup truck.

124 "Qualifying health plan", a health insurance plan in which the app-based driver is the
125 subscriber, that is not paid for in full or in part by any current or former employer, and that is not
126 a Medicare or Medicaid plan.

127 "Quarter", each of the following 4 time periods: (a) January 1 through March 31; (b)
128 April 1 through June 30; (c) July 1 through September 30; (d) October 1 through December 31.

129 "Transportation network company" or "TNC", has the same meaning as provided in
130 section I of chapter 159A1/2 of the Massachusetts General Laws.

131 "Transportation network company driver" or "TNC driver", a Transportation network
132 driver, as defined in section I of chapter 159A1/2 of the Massachusetts General Laws, that
133 provides transportation services, or a person operating a livery vehicle as defined in 540 CMR
134 2.00 on a TNC's digital network, as defined in section 1 of chapter 159A1/2.

135 "Transportation services", the provision of transportation facilitated by the digital
136 network, as defined in section 1 of chapter 159A1/2 of the Massachusetts General Laws, of a
137 TNC for which the pickup of the passenger occurs in the Commonwealth.

138 Section 5: Guaranteed Earnings Floor.

139 (a) A network company shall ensure that for each earnings period, an app-based
140 driver is compensated at not less than the net earnings floor as set forth in this section. The net
141 earnings floor establishes a guaranteed minimum level of compensation for app-based drivers
142 that cannot be reduced. In no way does the net earnings floor prohibit app-based drivers from
143 earning a higher level of compensation.

144 (b) For each earnings period, a network company shall compare an app-based driver's
145 net earnings against the net earnings floor for that app-based driver during the earnings period. In
146 the event that the app-based driver's net earnings in the earnings period are less than the net
147 earnings floor for that earnings period, the network company shall include an additional sum
148 accounting for the difference in the app-based driver's earnings no later than during the next
149 earnings period.

150 (c) For all earnings periods, the net earnings floor shall be the sum of:

151 (i) The product of 120 per cent of the minimum wage and the number of hours of
152 engaged time during that earnings period.

153 (ii) (A) The product of the per-mile compensation for vehicle expenses set forth in
154 this clause and the total number of engaged miles traveled during that earnings period.

155 (B) After the effective date of this chapter and for the 2025 calendar year, the per-mile
156 compensation for vehicle expenses shall be 28 cents per engaged mile. For calendar years after
157 2025, the amount per engaged mile shall be adjusted pursuant to the following subsection (d).

158 (d) For calendar years following 2025, the executive office of labor and workforce
159 development shall adjust the per-mile compensation amount under subsection (c) annually to

160 reflect the percentage increase, if any, in the state minimum wage that is set to take effect that
161 calendar year. The executive office of labor and workforce development shall calculate and
162 publish the adjustments required by this subsection no later than November 30 of the year prior
163 to the increase taking effect. The adjusted compensation rates shall take effect on the later of
164 January 1 or the sixty-first day following publication. If the executive office of labor and
165 workforce development does not publish an increase as required by this subsection, no increase
166 in the compensation amounts shall occur.

167 (e) Nothing in this section shall be interpreted to require a network company to
168 provide a particular amount of compensation to an app-based driver for any given transportation
169 or delivery request, as long as the app-based driver's net earnings for each earnings period equals
170 or exceeds that app-based driver's net earnings floor for that earnings period as set forth in
171 subsection (b) of this section.

172 Section 6. Healthcare Stipend.

173 (a) Consistent with the average contributions required under the federal Patient
174 Protection and Affordable Care Act, Pub. L. 111-148 (March 23, 2010), a network company
175 shall provide a quarterly healthcare stipend to app-based drivers who meet the conditions set
176 forth in this section. An app-based driver that averages the following amounts of engaged time
177 per week on a network company's platform during a quarter that commences on or after January
178 1, 2025 shall receive the following stipends from that network company:

179 (1) For an average of 25 hours or more per week of engaged time in the quarter, a
180 payment greater than or equal to 100 per cent of the average ACA contribution for the applicable
181 average monthly Health Connector premium for each month in the quarter.

182 (2) For an average of at least 15 but less than 25 hours per week of engaged time in
183 the quarter, a payment greater than or equal to 50 per cent of the average ACA contribution for
184 the applicable average monthly Health Connector premium for each month in the quarter.

185 (b) At the end of each earnings period, a network company shall provide to each app-
186 based driver the following information:

187 (1) The total number of hours of engaged time the app-based driver recorded in the
188 network company's online-enabled application or platform during that earnings period.

189 (2) The number of hours of engaged time the app-based driver has recorded in the
190 network company's online-enabled application or platform during the current quarter up to that
191 point.

192 (c) The Health Connector may adopt or amend regulations as it deems appropriate to
193 implement this section, including to permit app-based drivers receiving stipends pursuant to this
194 section to enroll in health plans offered through the Health Connector.

195 (d)(1) As a condition of providing the healthcare stipend set forth in subsection (a), a
196 network company may require an app-based driver to submit proof of current enrollment in a
197 qualifying health plan as of the last day of the quarter for which the stipend would be provided.
198 Proof of current enrollment may include, but is not limited to, health insurance membership or
199 identification cards, evidence of coverage and disclosure forms from the health plan, or claim
200 forms and other documents necessary to submit claims.

201 (2) An app-based driver shall have not less than 15 calendar days from the end of the
202 quarter to provide proof of enrollment as set forth in paragraph (1) of this subsection.

203 (3) A network company shall provide a healthcare stipend due for a quarter under
204 subsection (a) within 15 days of the end of the quarter or within 15 days of the app-based driver's
205 submission of proof of enrollment as set forth in paragraph (1) of this subsection, whichever is
206 later.

207 (e) Nothing in this section shall be interpreted to prevent an app-based driver from
208 receiving a healthcare stipend from more than one network company for the same quarter.

209 (f)(1) On or before 14 days following the effective date of this section, and on or before
210 each September 1 thereafter, the Health Connector shall publish the average statewide monthly
211 premium paid, or anticipated to be paid, by an individual for the following calendar year for a
212 Health Connector bronze tier health insurance plan, or any future successor equivalent plan.

213 (2) When computing the average as required by paragraph (1) of this subsection, the
214 Health Connector shall divide the total monthly premium paid, or anticipated to be paid, by all
215 enrollees in an individual Health Connector bronze tier health insurance plan, or any future
216 successor equivalent plan, by the total number of individuals in the commonwealth who are
217 enrolled in, or anticipated to be enrolled in, such plans.

218 (g) This section shall become inoperative in the event that the United States or the
219 commonwealth implements a single-payer universal healthcare system or substantially similar
220 system that expands coverage to the recipients of stipends under this section.

221 Section 7. Paid Sick Time. Network companies shall provide app-based drivers with
222 earned paid sick time as set forth in this section.

223 (a) "Earned paid sick time", is the time provided by a network company to an app-
224 based driver as calculated under subsection (c) of this section. For each hour of earned paid sick
225 time used by an app-based driver, the network company shall compensate the app-based driver at
226 a rate equal to the greater of the following:

227 (1) The app-based driver's average hourly earnings, as defined in section 4 of this chapter;

228 or

229 (2) 120 per cent of the minimum wage.

230 (b) An app-based driver shall only use earned paid sick time for the same reasons set
231 forth for employees in paragraph (I) through paragraph (4) of subsection (c) of section 148C of
232 chapter 149 of the Massachusetts General Laws.

233 (c) A network company shall provide a minimum of one hour of earned paid sick
234 time for every 30 hours of engaged time recorded on or after the effective date of this section by
235 an app-based driver in the network company's online-enabled application or platform. App-based
236 drivers shall be entitled to first use accrued earned paid sick time upon recording 90 hours of
237 engaged time on the network company's online-enabled application or platform. From that day
238 forward, an app-based driver may use earned sick time as it accrues. A contract between a
239 network company and an app-based driver may require the app-based driver to use earned paid
240 sick time in increments of up to 4 hours.

241 (d) App-based drivers may carry over up to 40 hours of unused earned paid sick time
242 to the next calendar year, but are not entitled to use more than 40 hours in one calendar year.
243 Network companies shall not be required to pay out unused earned paid sick time. If an app-
244 based driver does not record any engaged time in a network company's online-enabled

245 application or platform for 365 or more consecutive days or the app-based driver's contract with
246 a network company is terminated, any unused earned paid sick time accrued up to that point with
247 that network company shall no longer be valid or recognized.

248 (e) A network company may require certification when an app-based driver makes a
249 request to use more than 24 hours of earned paid sick time in a 72-hour period or when
250 reasonably necessary to prevent fraud. Any reasonable documentation signed by a health care
251 provider indicating the need for earned paid sick time taken shall be deemed acceptable
252 certification for absences. Nothing in this section shall be construed to require an app-based
253 driver to provide as certification any information from a health care provider that would be in
254 violation of federal law.

255 Section 8. Occupational Accident Insurance.

256 (a) For the purposes of this section, the following words shall have the following
257 meanings:-

258 (1) "Average weekly earnings", the app-based driver's total earnings from all network
259 companies during the 28 days prior to the accident divided by four.

260 (2) "Online", the time when an app-based driver is utilizing a network company's
261 online- enabled application or platform and can receive requests for transportation services or
262 delivery services from the network company or during engaged time.

263 (3) "Maximum weekly compensation rate", has the same meaning as provided in
264 section 1 of chapter 152 of the Massachusetts General Laws.

265 (4) "Minimum weekly compensation rate", has the same meaning as provided in
266 section 1 of chapter 152 of the Massachusetts General Laws.

267 (b) Each network company, within 240 days of the effective date of this chapter, shall
268 purchase occupational accident insurance, as described in this section, for all app-based drivers
269 who provide transportation or delivery services through the network company's online-enabled
270 application or platform.

271 (c) Each network company shall file with the division of insurance, no later than 30
272 days after the commencement of a new policy year, a copy of the policy it has purchased for
273 DNC couriers and TNC drivers, respectively. The division of insurance shall be treated by the
274 insurer as a certificate holder for purposes of receiving notice of cancellation of the policy.

275 (d) The occupational accident insurance policy required under subsection (b) shall
276 cover medical expenses and lost income resulting from injuries suffered while the app-based
277 driver is online with a network company's online-enabled application or platform. Policies shall
278 at a minimum include a total combined single limit of \$1,000,000 per accident and provide for
279 payment of benefits to a covered individual as follows:

280 (1) Coverage for medical expenses incurred, up to at least \$1,000,000 and for up to
281 156 weeks following the injury;

282 (2) Continuous total disability payments, temporary total disability payments, and
283 partial disability payments for injuries that occur while the app-based driver is online equal to 66
284 per cent of the app-based driver's average weekly earnings as of the date of injury but not more
285 than the maximum weekly compensation rate, unless the average weekly earnings of the app-
286 based driver is less than the minimum weekly compensation rate, in which case the weekly

287 compensation shall be equal to the app-based driver's average weekly earnings. Payments under
288 this paragraph shall be made for up to the first 156 weeks following the injury;

289 (3) For the benefit of spouses, children, or other dependents of app-based drivers,
290 accidental death insurance in the amount equal to 66 per cent of the app-based driver's average
291 weekly earnings as of the date of injury but not more than the maximum weekly compensation
292 rate, unless the average weekly earnings of the app-based driver is less than the minimum weekly
293 compensation rate, in which case the weekly compensation shall be equal to the app-based
294 driver's average weekly earnings, times 156 weeks for injuries suffered by an app-based driver
295 while the app-based driver is online with the network company's online-enabled application or
296 platform that result in death; and

297 (4) When injuries suffered by an app-based driver while the app-based driver is
298 online result in death, an amount to pay for reasonable burial expenses not to exceed eight times
299 the maximum weekly compensation rate.

300 (e) Occupational accident insurance under subsection (d) of this section shall not be
301 required to cover an accident that occurs while online but outside of engaged time where the
302 injured app- based driver is in engaged time on one or more other network company platforms or
303 where the app-based driver is engaged in personal activities. If an accident is covered by
304 occupational accident insurance maintained by more than one network company, the insurer of
305 the network company against whom a claim is filed is entitled to contribution for the pro-rata
306 share of coverage attributable to one or more other network companies up to the coverages and
307 limits in subsection (d).

308 (f) Any benefits provided to an app-based driver under this section shall be
309 considered amounts payable under an app-based driver's compensation law or disability benefit
310 for the purpose of determining amounts payable under any insurance provided under section
311 113L of chapter 175 of the Massachusetts General Laws or for personal injury protection, as
312 defined in section 34A of chapter 90 of the Massachusetts General Laws.

313 SECTION 5

314 This act shall take effect on the later of January 1, 2025, or as provided in Article 48 of
315 the Amendments to the Massachusetts Constitution, as amended.

FIRST TEN SIGNERS

<u>NAME</u>	<u>RESIDENCE</u>	<u>CITY OR TOWN</u>
Charles Dewey Ellison, III	195 West Canton Street, # 2	Boston
Abigail Kennedy Horrigan	114 Eastern Avenue	Woburn
Brian Gitschier	58 East Springfield Street, # 2	Boston
Daniel A. Svirsky	248 School Street	Watertown
Sean A. Rogers	9 Atkins Street, # 1	Boston
Caitlin Donovan	16 Fox Run Road	Dover
Brendan M. Joyce	79 Breakneck Road	Sturbridge
Troy B. McHenry	402 Ashmont Street, # 1	Boston
Kimberly Ann Ahern	15 Pond Street	Boston
Christina M. Ellis-Hibbett	563 Ashmont Street	Boston

CERTIFICATE OF THE ATTORNEY GENERAL.

September 6, 2023

Honorable William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

Re: Initiative Petition No. 23-31: Initiative Petition for A Law Establishing that App-Based Drivers are not Employees, and Network Companies are not Employers, for Certain Purposes of the General Laws – Version H

Dear Secretary Galvin:

In accordance with the provisions of Article 48 of the Amendments to the Massachusetts Constitution, I have reviewed the above-referenced initiative petition, which was submitted to me on or before the first Wednesday of August of this year.

I hereby certify that this measure is in proper form for submission to the people; that the measure is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people at either of the two preceding biennial state elections; and that it contains only subjects that are related or are mutually dependent and which are not excluded from the initiative process pursuant to Article 48, the Initiative, Part 2, Section 2.

In accordance with Article 48, I enclose a fair, concise summary of the measure.

Sincerely,

ANDREA JOY CAMPBELL,
Attorney General.

Enclosure

Summary of 23-31.

This proposed law would specify that rideshare and delivery drivers who accept requests through an online-enabled application are not “employees” for purposes of certain Massachusetts laws regarding workplace conditions, minimum wages, unemployment insurance, and workers’ compensation. This proposed law would also specify that rideshare and delivery companies are not “employers” for purposes of those laws. This proposed law would also specify alternative minimum compensation and benefits for rideshare and delivery drivers.

The proposed law would apply to drivers for rideshare and delivery companies who use digital applications and who are (1) not required to work specific days or hours; (2) not required to accept specific requests; (3) not restricted from working with multiple rideshare or delivery companies; and (4) not restricted from working in any other lawful occupation or business.

The proposed law would require rideshare and delivery companies to provide drivers with a guaranteed amount of minimum compensation, equal to 120 percent of the Massachusetts minimum wage, for time spent completing requests for transportation or delivery, plus a per-mile amount for each mile driven in a privately-owned vehicle while completing a request. The per-mile amount would start at 28 cents and be adjusted yearly to increase by any percentage increase made to the Massachusetts minimum wage. The minimum compensation calculation would exclude time spent by a driver between completing one request and accepting another request. A driver whose earnings, not including tips and gratuities, fall below the minimum compensation amount would be paid the difference to be brought up to the minimum compensation amount.

The proposed law would require rideshare and delivery companies to provide some drivers with a healthcare stipend. Drivers who average 25 hours or more per week completing requests for

transportation or delivery services with a company would receive a full stipend for an average individual plan offered through the Health Connector, and drivers who average between 15 and 25 hours per week completing requests for transportation or delivery services with a company would receive a 50 percent stipend.

The proposed law would require rideshare and delivery companies to provide drivers with a minimum of one hour of paid sick time for every 30 hours spent completing requests for transportation or delivery services with that company.

The proposed law would require rideshare and delivery companies to purchase accident insurance to provide some disability and medical benefits for drivers who are injured or killed while online with the company's application or platform.

The proposed law would prohibit rideshare and delivery companies from terminating the contract of a driver, or refusing to contract with a driver, based on race, sex, sexual orientation, or other protected characteristics unless based upon a bona fide occupational qualification or a safety need. Companies would be required to provide a driver who is terminated with an opportunity to appeal the termination with the network company.

The proposed law would take effect on January 1, 2025.