

HOUSE No. 1708

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

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 criminalizing sexual assault of a passenger by a rideshare operator.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------------|-----------------------|------------------|
| <i>William C. Galvin</i> | <i>6th Norfolk</i> | <i>1/15/2025</i> |
| <i>Tara T. Hong</i> | <i>18th Middlesex</i> | <i>12/2/2025</i> |

HOUSE No. 1708

By Representative Galvin of Canton, a petition (accompanied by bill, House, No. 1708) of William C. Galvin relative to criminalizing sexual assault of a passenger by a rideshare operator. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act criminalizing sexual assault of a passenger by a rideshare operator.

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. Section 178C of chapter 6 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the figure “265”, in line 62, the following
3 words:- ; indecent assault and battery on vulnerable persons in custody by law enforcement
4 under section 13H½ of said chapter 265; indecent assault and battery on a patient or client by a
5 health care provider under section 13H¾ of said chapter 265; indecent assault and battery on a
6 passenger by a rideshare operator under section 13I.

7 SECTION 2. Said section 178C of said chapter 6, as so appearing, is hereby further
8 amended by inserting after the figure “265”, in line 67, the following words:- ; rape of a patient
9 or client by a health care provider under section 22D of said chapter 265; rape of a passenger by
10 a rideshare operator under section 22E of said chapter 265.

11 SECTION 3. Section 1 of chapter 123A of the General Laws, as so appearing, is hereby
12 amended by inserting after the word “sixty-five”, in line 49, the following words:- ; indecent

13 assault and battery on vulnerable persons in custody by law enforcement under section 13H $\frac{1}{2}$ of
14 said chapter 265; indecent assault and battery on a patient or client by a health care provider
15 under section 13H $\frac{3}{4}$ of said chapter 265; indecent assault and battery on a passenger by a
16 rideshare operator under section 13I.

17 SECTION 4. Said section 1 of said chapter 123A, as so appearing, is hereby further
18 amended by inserting after the figure “265”, in line 54, the following words:- ; rape of a patient
19 or client by a health care provider under section 22D of said chapter 265; rape of a passenger by
20 a rideshare operator under section 22E of said chapter 265.

21 SECTION 5. Section 133E of chapter 127 of the General Laws, as so appearing, is
22 hereby amended by inserting after the figure “265”, in line 16, the following words:- ; indecent
23 assault and battery on vulnerable persons in custody by law enforcement under section 13H $\frac{1}{2}$ of
24 said chapter 265; indecent assault and battery on a patient or client by a health care provider
25 under section 13H $\frac{3}{4}$ of said chapter 265; indecent assault and battery on a passenger by a
26 rideshare operator under section 13I.

27 SECTION 6. Said section 133E of said chapter 127, as so appearing, is hereby further
28 amended by inserting after the figure “265”, in line 20, the following words:- ; rape of a patient
29 or client by a health care provider under section 22D of said chapter 265; rape of a passenger by
30 a rideshare operator under section 22E of said chapter 265.

31 SECTION 7. Chapter 265 of the General Laws is hereby amended by inserting after
32 section 13H $\frac{3}{4}$ the following section:- Section 13I (a) For the purposes of this section, “ride share
33 operator” shall mean a person operating or holding themselves out as an operator of a motor
34 vehicle through a transportation network company; “Transportation network company” shall

35 mean a corporation, partnership, sole proprietorship or other entity that uses a digital network to
36 connect riders to drivers to pre-arrange and provide transportation. A “ride” shall mean a period
37 of time that begins when a transportation network driver accepts a requested ride through a
38 digital network, continues while the driver transports the transportation network company rider
39 and ends when the rider safely departs from the vehicle.

40 (b) A person who is, or holds themselves out to be, a rideshare operator commits an
41 indecent assault and battery on a passenger during a ride shall be punished by imprisonment in
42 the state prison for not more than 5 years or by imprisonment in a house of correction for not
43 more than 2 1/2 years. In a prosecution commenced under this section, the passenger shall be
44 deemed incapable of consenting to contact of a sexual nature when consent was procured during
45 a ride.

46 SECTION 8. Said chapter 265 is hereby further amended by inserting after section 22D
47 the following section:- Section 22E. (a) For the purposes of this section, “ride share operator”
48 shall mean a person operating or holding themselves out as an operator of a motor vehicle
49 through a transportation network company; “Transportation network company” shall mean a
50 corporation, partnership, sole proprietorship or other entity that uses a digital network to connect
51 riders to drivers to pre-arrange and provide transportation. A “ride” shall mean a period of time
52 that begins when a transportation network driver accepts a requested ride through a digital
53 network, continues while the driver transports the transportation network company rider and
54 ends when the rider safely departs from the vehicle.

55 (b) A person who is, or holds themselves out to be, a rideshare operator engages in sexual
56 intercourse with a passenger during a ride shall be punished by imprisonment in the state prison

57 for not more than 20 years. In a prosecution commenced under this section, the passenger shall
58 be deemed incapable of consenting to contact of a sexual nature when consent was procured
59 during a ride

60 SECTION 9. Section 63 of chapter 277 of the General Laws, as appearing in the 2022
61 Official Edition, is hereby amended by inserting after the figure “22E”, in line 5, the following
62 figure:- , 22DE.

63 SECTION 10. Said section 63 of said chapter 277, as so appearing, is hereby further
64 amended by inserting after the figure “13H”, in line 27, the following figures:- , 13H½, 13H¾,
65 13I.