

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Mark J. Cusack*

*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 protecting transportation network driver data privacy and integrity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/15/2025</i>

**HOUSE . . . . . No.**

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[Pin Slip]

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**The Commonwealth of Massachusetts**

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

An Act protecting transportation network driver data privacy and integrity.

*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. Subsection (b)(1) of Section 4 of chapter 150F of the General Laws is  
2 hereby amended by striking out the second sentence and inserting in place thereof the following  
3 sentence:-

4           Since the obligation to negotiate in good faith includes an obligation to provide requested  
5 information that relates to the bargaining process, it is also an unfair work practice for a certified  
6 or recognized transportation network driver organization to refuse to provide information  
7 requested by a transportation network company that is relevant to the bargaining process.

8           SECTION 2. Chapter 150F of the General Laws is hereby amended by adding the  
9 following section:-

10           Section 13. Any record furnished to the board or other state agency by a transportation  
11 network company pursuant to this chapter including, but not limited to, transportation network  
12 driver records, shall not be considered a public record as defined in clause twenty-sixth of  
13 section 7 of Chapter 4 or Chapter 66. Such records are confidential and shall not be disclosed by

14 the board or by any persons who may be authorized by the board to control or process them  
15 solely for purposes of this chapter.

16 SECTION 3. The board, as defined by section 2 of Chapter 150F, shall promulgate  
17 regulations to implement Chapter 150F no later than December 31, 2025. The board shall  
18 implement such regulations no later than June 30, 2026. Chapter 150F shall take effect upon the  
19 board's implementation of the regulations required by this section. The regulations shall: (a)  
20 establish the obligations and procedures for the board and transportation network driver  
21 organizations to protect transportation network driver data from public disclosure and  
22 unauthorized use, including: (i) minimization of data collected to what is necessary under  
23 Chapter 150F; (ii) encryption standards adhering to recognized security protocols; (iii) access  
24 controls to ensure that only authorized persons can view or process driver data; (iv) data  
25 retention policy; (v) auditing and compliance monitoring; (vi) data breach protocol; (vii) driver  
26 notification of data sharing; (viii) driver consent and driver opt-out of data sharing; and (ix)  
27 limitations on data use; (x) limiting the disclosure of driver personal identifying information to  
28 the confidential uses necessary to effectuate Chapter 150F and not for the purpose of enforcing  
29 federal immigration law or provided to an agency that primarily enforces immigration law,  
30 unless the Board is provided with a lawful court order or judicial warrant signed by a judge  
31 appointed pursuant to Article III of the United States Constitution, a federal grand jury or trial  
32 subpoena, or as otherwise required by federal law; (b) establish authorization card requirements,  
33 including the specific form and content of authorization cards and authorization revocation cards,  
34 receipt records, language access and limited English proficiency protections, authentication  
35 standards for both electronic and non-electronic authorization cards, data security, submission  
36 requirements, and the board's audit review authority; (c) establish procedures for verifying

37 transportation network driver organization representation evidence; (d) establish procedures for  
38 verifying that “active transportation network drivers,” as defined in section 2 of Chapter 150F,  
39 includes only those independent contractors currently authorized to provide Transportation  
40 Network Company services by the Transportation Network Company Division of the  
41 Department of Public Utilities (DPU), who hold a current Background Check Clearance  
42 Certificate, meet all safety and suitability standards required by DPU regulations, are affiliated  
43 with an entity holding a current DPU permit, and use non-commercial vehicles to provide  
44 transportation network company services; (e) establish how the median number of rides by  
45 authorized transportation network drivers will be determined to set the quarterly active  
46 transportation network driver thresholds; (f) establish the specific subjects of bargaining under  
47 terms and conditions of work; (g) establish election procedures for exclusive bargaining  
48 representations; specify how and when transportation network companies must share driver data  
49 with transportation network driver organizations while protecting drivers’ privacy and complying  
50 with data security laws; (h) establish complaint and grievance processes; (i) establish mediation  
51 and arbitration rules; and (j) establish standards and procedures for board oversight of bargaining  
52 agreements.