SENATE DOCKET, NO. 2125 FILED ON: 1/17/2025

SENATE . . . . . No. 1247

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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:	
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	
Patrick M. O'Connor	*First Plymouth and Norfolk*	*11/21/2025*

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SENATE . . . . . No. 1247

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1247) of Rebecca L. Rausch for legislation to criminalize 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:

SECTION 1. Section 178C of chapter 6 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the figure "265", in line 62, the following words:- ; indecent assault and battery on vulnerable persons in custody by law enforcement under section 13H½ of said chapter 265; indecent assault and battery on a patient or client by a health care provider under section 13H¾ of said chapter 265; indecent assault and battery on a passenger by a rideshare operator under section 13I.

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

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

assault and battery on vulnerable persons in custody by law enforcement under section 13H½ of said chapter 265; indecent assault and battery on a patient or client by a health care provider under section 13H¾ of said chapter 265; indecent assault and battery on a passenger by a rideshare operator under section 13I.

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

SECTION 5. Section 133E of chapter 127 of the General Laws, as so appearing, is hereby amended by inserting after the figure "265", in line 16, the following words:- ; indecent assault and battery on vulnerable persons in custody by law enforcement under section 13H½ of said chapter 265; indecent assault and battery on a patient or client by a health care provider under section 13H¾ of said chapter 265; indecent assault and battery on a passenger by a rideshare operator under section 13I.

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

SECTION 7. Chapter 265 of the General Laws is hereby amended by inserting after section 13H ¾ the following section:-

Section 13I (a) For the purposes of this section, the following words shall have the following meanings:

“Ride share operator”, a person operating or holding themselves out as an operator of a motor vehicle through a transportation network company.

“Transportation network company”, a corporation, partnership, sole proprietorship or other entity that uses a digital network to connect riders to drivers to pre-arrange and provide transportation.

“Ride”, a period of time that begins when a passenger enters the vehicle of the ride share operator or someone holding themself out as one, continues while the ride share operator transports the passenger, and ends when the passenger is safely departed from the vehicle.

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

SECTION 8. Said chapter 265 is hereby further amended by inserting after section 22D the following section:-

Section 22E. (a) For the purposes of this section, the following words shall have the following meanings:

“Ride share operator”, a person operating or holding themselves out as an operator of a motor vehicle through a transportation network company.

“Transportation network company”, a corporation, partnership, sole proprietorship or other entity that uses a digital network to connect riders to drivers to pre-arrange and provide transportation.

“Ride” shall mean a period of time that begins when a passenger enters the vehicle of the ride share operator or someone holding themself out as one, continues while the driver transports the passenger, and ends when the passenger is safely departed from the vehicle.

(b) A person who is, or holds themselves out to be, a rideshare operator engages in sexual intercourse with a passenger during a ride shall be punished by imprisonment in the state prison for not more than 20 years. In a prosecution commenced under this section, the passenger shall be deemed incapable of consenting to contact of a sexual nature when consent was procured during a ride.

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

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