

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**HOUSE BILL 391
RATIFIED BILL**

AN ACT TO AMEND VARIOUS TRANSPORTATION NETWORK COMPANY LAWS
AND TO CREATE NEW CRIMINAL OFFENSES RELATING TO TRANSPORTATION
NETWORK COMPANY DRIVERS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Passenger Protection Act" and may be cited by that name.

SECTION 2.(a) G.S. 20-280.5 reads as rewritten:

"§ 20-280.5. Safety requirements.

(a) The transportation network company must require TNC drivers have their vehicles inspected annually to meet State safety requirements. The Division may, by regulation, specify alternative inspections that are acceptable as equivalent inspections, such as an inspection performed in another state. This subsection does not apply to brokering transportation network companies.

(b) The transportation network company's online-enabled application or platform must provide the following information to customers after a ride request is accepted by a TNC driver:

- (1) Photograph of the TNC driver.
- (2) License plate number of the TNC driver's vehicle.
- (3) Description of the TNC driver's vehicle.
- (4) Approximate location of the TNC driver's vehicle displayed on a map.

(c) The transportation network company must maintain the following records:

- (1) The record of each TNC service provided in this State for one year from the date the TNC service occurred.
- (2) The record of each TNC driver-driver, which includes a driver's name and current address of the driver the TNC has on record at the time the driver's relationship with the TNC ended, in this State for one year from the date the TNC driver terminated their relationship with the transportation network company.

(d) The transportation network company must require a TNC driver to display the license plate number of the TNC driver's vehicle in a location that is visible from the front of the vehicle at the time a TNC service begins and at all times during a TNC service. The vehicle's license plate number displayed pursuant to this subsection must be printed in a legible and contrasting font no smaller than three inches in height but is not required to be permanently mounted on the vehicle. A TNC driver is not required to obtain approval from the transportation network company or the Division for a license plate number display required by this subsection.

(e) Except as provided in subsection (f) of this section, a transportation network company must require a TNC driver to display consistent and distinctive signage or emblems, known as a trade dress, trademark, branding, or logo of the TNC, on the TNC driver's vehicle at all times when the TNC driver is active on the TNC digital platform or when providing any TNC service that reasonably assists customers to identify or verify a TNC driver responding to a ride request. TNC signage or emblems required by this subsection may include magnetic or removable signage



or emblems, must be approved by the Division before use, and must meet all of the following requirements:

- (1) Be readable during daylight hours at a distance of 50 feet.
- (2) Include an illuminated TNC-provided sign displaying the TNC's proprietary trademark or logo that is clearly visible so as to be seen in darkness.

(f) A transportation network company may seek approval from the Division for technological identifiers as an alternative to the distinctive signage or emblems required by subsection (e) of this section. The Division may approve an alternative technological identifier if it reasonably assists customers to identify or verify a TNC driver responding to a ride request. If approved by the Division, the approved technological identifier must be used by a TNC driver at all times when the TNC driver is active on the TNC digital platform or when providing any TNC service."

SECTION 2.(b) G.S. 20-280.5(e) and (f), as enacted by this section, become effective July 1, 2020. The remainder of this section becomes effective October 1, 2019.

SECTION 3.(a) Article 52 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-401.26. TNC driver failure to display license plate information.

It shall be unlawful for a transportation network company (TNC) driver, as defined in G.S. 20-280.1, to fail to display the license plate number of the TNC driver's vehicle as required by G.S. 20-280.5(d). A violation of this section shall be an infraction and shall be punishable by a fine of two hundred fifty dollars (\$250.00)."

SECTION 3.(b) This section becomes effective December 1, 2019, and applies to offenses committed on or after that date.

SECTION 3.3.(a) Article 52 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-401.27. Impersonation of a transportation network company driver.

It shall be unlawful for any person to impersonate a transportation network company (TNC) driver, as defined in G.S. 20-280.1, by a false statement, false display of distinctive signage or emblems known as a trade dress, trademark, branding, or logo of the TNC, or any other act which falsely represents that the person has a current connection with a transportation network company or falsely represents that the person is responding to a passenger ride request for a transportation network company. A violation of this section is a Class H felony if the person impersonates a TNC driver during the commission of a separate felony offense. Any other violation of this section is a Class 2 misdemeanor."

SECTION 3.3.(b) This section becomes effective December 1, 2019, and applies to offenses committed on or after that date.

SECTION 3.5.(a) G.S. 14-33(c) is amended by adding a new subdivision to read:

- "(9) Assaults a transportation network company (TNC) driver providing a transportation network company (TNC) service. For the purposes of this subdivision, the definitions for "TNC driver" and "TNC service" as defined in G.S. 20-280.1 shall apply."

SECTION 3.5.(b) This section becomes effective December 1, 2019, and applies to offenses committed on or after that date.

law. **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
In the General Assembly read three times and ratified this the 1st day of August, 2019.

s/ Carl Ford
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2019