

ALASKA STATE LEGISLATURE

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HB 376

"An Act relating to transportation network and delivery network companies."

Sectional Analysis:

Section 1: This section amends AS 23.30.230(a) by delineating individuals who are not covered by certain labor regulations. It specifies exemptions for various categories of workers, including part-time babysitters, cleaning persons, harvest help, sports officials, entertainers, commercial fishermen, taxicab drivers, participants in the Alaska temporary assistance program, professional hockey players or coaches, and qualified real estate licensees. Additionally, it introduces an exemption for a delivery network company courier who provides delivery services or is otherwise logged onto the digital network of a delivery network company under AS 28.23.080.

Section 2: This section amends AS 28.23.080(a) to establish that transportation network companies (TNCs) and delivery network companies (DNCs) are not employers of TNC drivers or DNC couriers under certain labor laws. It clarifies that TNC drivers and DNC couriers are independent contractors and not employees of the respective companies, provided that certain conditions are met, such as not imposing specific hours of work, allowing drivers to use multiple digital networks, not restricting drivers from engaging in other occupations, and entering into a written agreement declaring the independent contractor status.

Section 3: This section amends AS 28.23.180(1) to define "digital network" as any online-enabled application, software, website, or system used by transportation network companies or delivery network companies to facilitate prearrangement of rides or offers for delivery services.

Section 4: This section amends AS 28.23.180 by adding new definitions related to delivery network companies, including "company," "delivery network company," "delivery network company courier" or "courier," "delivery services," and "offer." These definitions clarify the roles and operations of delivery network companies and couriers within the digital network system.