

ALASKA STATE LEGISLATURE

REPRESENTATIVE ADAM WOOL

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Official Business

CSHB132 ver R Work Draft Sectional Analysis

"An Act relating to transportation network companies and transportation network company drivers."

- Section 1: Describes legislative intent of the bill is to clarify the Alaska Workers' Compensation Act and its relationship to transportation network company drivers.
- Section 2: Offers immunity to the state if civil action is taken against a transportation network company.
- Section 3: Amends AS 21.96 by adding a new section 21.96.018 relating to transportation network company insurance provisions. Allows for automobile insurance writers to exclude any driver who is logged onto the digital network of a transportation network company or while a driver provides a ride.
- Section 4: Amends AS 23.30.230(a) to exclude transportation network company drivers from the Alaska Workers' Compensation Act.
- Section 5: Amends AS 23.30.230(c) by adding the definitions for "digital network," "prearranged ride," "transportation network company," and "transportation network company driver."
- Section 6: Amends AS 28 by adding a new chapter, Chapter 23, Transportation Network Companies and Drivers
AS 28.23.010. Provides that transportation network company or driver is not a common carrier and may not provide taxicab or for-hire services and that they may not be required to register as a commercial or for-hire vehicle. The Department of Transportation may under AS 02.15, adopt regulation or enter into a contract, lease, or other arrangement with a TNC or driver for use of an international airport owned or operated by the state.

AS 28.23.010. Relates to fares collected by transportation network companies for services.

AS 28.23.030. Governs identification required for transportation network vehicles and drivers.

AS 28.23.040. Requires electronic receipts.

AS 28.23.050. Sets insurance requirements for transportation network companies and drivers.

AS 28.23.060. Requires transportation network companies to provide automobile insurance disclosures to drivers.

AS 28.23.070. Requires that transportation network companies to file a certificate of insurance with the division of insurance.

AS 28.23.080. Provides that transportation network companies are not employers and that drivers are independent contractors, not employees.

AS 28.23.090. Requires implementation of zero tolerance drug and alcohol policy.

AS 28.23.100. Sets transportation network company driver requirements. Requires local and national criminal background check, multi-state or multi-jurisdiction criminal records locator, the US Dept. of Justice National Sex Offender public website, and obtaining a driver history report.

AS 28.23.110. Relates to mandatory rules and policies governing non-discrimination and accessibility protected under AS 18.80.210.

AS 28.23.120. Provides for maintenance of records.

AS 29.23.180. Provides definitions for the chapter.

AS 28.23.190 States that the short title of the chapter may be cited as the "Transportation Network Companies Act."

Section 7: Amends AS 29.10.200 to add paragraph (66), adding AS 29.35.148 (regulation of transportation network company or drivers) as home rule prohibitions on acting otherwise.

Section 8: Amends AS 29.35 by adding AS 29.35.148, which provides that the authority to regulate transportation network companies and transportation network drivers is reserved to the state. Provides that an imposition of a municipal sales tax may be applied to a trip originating in the municipality on TNC drivers. Municipal traffic ordinances must be followed.