
DIGEST

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HB 672 Original

2017 Regular Session

Stagni

Abstract: Imposes a per ride assessment on Transportation Network Companies and establishes penalties for non-compliance.

Proposed law defines "department" as the La. Dept. of Transportation and Development.

Proposed law defines "prearranged ride" as the provision of transportation by a TNC driver to a rider, beginning when a TNC driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the TNC driver transports a requesting rider, and ending when the last requesting rider departs from the TNC vehicle. A prearranged ride does not include transportation provided by shared expense van pool services, as defined pursuant to present law (R.S. 45:162(18)), shared expense car pool services, as defined pursuant to present law (R.S. 26:45:162(1)), transportation provided using a vehicle subject to present law (Part A or B of Chapter 4 of Title 45), or engaged solely in interstate commerce.

Proposed law defines "transportation network company", "TNC", or "Company" as a corporation, partnership, sole proprietorship, or other entity licensed and operating in this state that uses a digital network to connect a TNC rider to a TNC driver who provides a prearranged ride. A TNC may not control, direct, or manage the personal vehicle or the TNC driver who connects to its digital network, except where agreed to by written contract.

Proposed law defines "transportation network company driver" or "TNC driver" as an individual who receives connections to potential riders and related services from a transportation network company and, in return for compensation, uses a TNC vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company.

Proposed law defines "transportation network company rider" or "rider" as an individual or persons who use a transportation network company's digital network to connect with a transportation network company driver who provides prearranged rides in the TNC driver's TNC vehicle between points chosen by the rider.

Proposed law defines "transportation network company vehicle" or "TNC vehicle" as a vehicle that is used by a transportation network company driver to offer or provide a prearranged ride and is owned, leased, or otherwise authorized for use by the transportation network company driver. Notwithstanding any other provision of law, a vehicle that is let or rented to another for consideration may be used as a transportation network company vehicle.

Proposed law requires each TNC submit the number of rides that originated within each political subdivision and a per ride assessment fee of \$0.25, taken from the base fee, to the department each calendar quarter.

Proposed law prohibits the TNC from charging or conveying the per ride assessment to a TNC rider or TNC driver as defined in proposed law.

Proposed law requires the TNC to submit a report summarizing the aggregate number of rides from the previous quarter originating within each political subdivision using geographic information system data made available by the department to the department not later than March 31, June 30, September 30, and December 31 of each calendar year.

Proposed law requires the full assessment collected pursuant to proposed law to be paid to the state treasurer on or before the 10th day of each month following collection of the per ride assessment and credited to the Transportation Trust Fund.

Proposed law authorizes the monies from the per ride assessment to be used solely to fund the construction, improvements, and maintenance of roads and bridges across the state.

Proposed law requires the department send a violation notice by first class mail to a TNC who fails to report the aggregate number of rides quarterly or fails to remit the per ride assessment imposed pursuant to proposed law.

Proposed law requires the violation notice include the name of the TNC, the full unpaid per ride assessment amount, the statement that the TNC failed to report the aggregate number of rides from the previous quarter, the date of the failure or failures to pay the assessment, and any other information deemed appropriate.

Proposed law requires the violation notice include a warning that the TNC shall pay the per ride assessment, report the aggregate number of rides from the previous quarter, or both within 30 calendar days of the date of issuance of the violation notice or a late fee will be imposed.

Proposed law imposes a \$25,000 late fee per quarter when a TNC fails to remit each quarterly assessment, report the aggregate number of rides from the previous quarter, or both within 30 calendar days after the date of the issuance of the violation notice.

Proposed law requires the payments of penalties be collected by the department and remitted to the Transportation Trust Fund.

Proposed law requires the department annually submit a report to the Senate and House Committees on Transportation, Highways and Public Works detailing the projects and the amount of the per ride assessment used or planned to be used for the construction, improvements, and maintenance of roads and bridges across the state.

Proposed law requires the department promulgate rules and regulations regarding the imposition,

collection, payment, and remittance of the fee assessed in proposed law.

(Adds R.S. 47:2801 and 2801.1)