

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 391
Committee Substitute Favorable 6/4/19
Committee Substitute #2 Favorable 6/26/19
Senate Judiciary Committee Substitute Adopted 7/8/19

Short Title: Passenger Protection Act.

(Public)

Sponsors:

Referred to:

March 20, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND VARIOUS TRANSPORTATION NETWORK COMPANY LAWS
3 AND TO CREATE NEW CRIMINAL OFFENSES RELATING TO TRANSPORTATION
4 NETWORK COMPANY DRIVERS.

5 The General Assembly of North Carolina enacts:

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

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

9 "**§ 20-280.5. Safety requirements.**

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

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

17 (1) Photograph of the TNC driver.

18 (2) License plate number of the TNC driver's vehicle.

19 (3) Description of the TNC driver's vehicle.

20 (4) Approximate location of the TNC driver's vehicle displayed on a map.

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

22 (1) The record of each TNC service provided in this State for one year from the
23 date the TNC service occurred.

24 (2) The record of each TNC ~~driver~~ driver, which includes a driver's name and
25 current address, in this State for one year from the date the TNC driver
26 terminated their relationship with the transportation network company.

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



1 (e) The transportation network company must require a TNC driver to display consistent
2 and distinctive signage or emblems, known as a trade dress, trademark, branding, or logo of the
3 TNC, on the TNC driver's vehicle at all times when the TNC driver is active on the TNC digital
4 platform or when providing any TNC service. The TNC signage or emblems required by this
5 subsection may be magnetic or removable in nature, must be approved by the Division before
6 use, and meet all of the following requirements:

7 (1) Be readable during daylight hours at a distance of 50 feet.

8 (2) Include an illuminated TNC-provided sign displaying the TNC's proprietary
9 trademark or logo that is clearly visible so as to be seen in darkness."

10 **SECTION 2.(b)** G.S. 20-280.5(e), as enacted by this section, becomes effective July
11 1, 2020. The remainder of this section becomes effective October 1, 2019.

12 **SECTION 2.5.(a)** G.S. 20-280.6(c) reads as rewritten:

13 "(c) The transportation network company must not permit an individual to act as a TNC
14 driver if any of the following apply:

15 ...

16 (7) Is not at least ~~19~~21 years of age."

17 **SECTION 2.5.(b)** This section becomes effective October 1, 2019.

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

20 **"§ 14-401.26. TNC driver failure to display license plate information.**

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

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

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

29 **"§ 14-401.27. Impersonation of a transportation network company driver.**

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

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

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

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

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

47 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
48 law.