

SB0685/367776/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 685
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “delivery;” insert “expanding the requirements that the Secretary of Labor, Licensing, and Regulation must find to be satisfied for certain work performed by a certain messenger service driver to not be covered employment; providing that a messenger service driver whose work is not covered employment may deliver emergency medical supplies and certain other items for a messenger service business if the messenger service business provides certain evidence that the driver is excluded from certain coverage; defining a certain term;”.

AMENDMENT NO. 2

On page 1, in line 17, after “(1)” insert “IN THIS SUBSECTION, “MESSENGER SERVICE BUSINESS” MEANS A BUSINESS THAT:

(I) PRINCIPALLY AND PRIMARILY OFFERS AND PROVIDES TO THE PUBLIC OR COMMERCIAL ESTABLISHMENTS EXPEDITED, TIME CRITICAL, AND SAME DAY AS REQUESTED DELIVERY SERVICE;

(II) DOES NOT MAKE, PRODUCE, SELL, OR DISTRIBUTE WHAT IT DELIVERS; AND

(III) DOES NOT HAVE AN EXCLUSIVE CONTRACTUAL DELIVERY ARRANGEMENT WITH AN INDIVIDUAL OR A COMMERCIAL ESTABLISHMENT.

(2)”;

(Over)

after line 22, insert:

“(II) THE WRITTEN AGREEMENT UNDER ITEM (I) OF THIS PARAGRAPH DOES NOT PROHIBIT THE DRIVER FROM PERFORMING FOR MORE THAN ONE PERSON WHO IS ENGAGED IN THE MESSENGER SERVICE BUSINESS;

(III) THE DRIVER IS FREE TO ACCEPT OR REJECT DELIVERY JOBS FROM THE PERSON WHO IS ENGAGED IN THE MESSENGER SERVICE BUSINESS;”;

and in line 23, strike “(II)” and substitute “(IV)”.

On page 2, in lines 1, 2, and 3, strike “(III)”, “(IV)”, “(V)”, respectively and substitute “(V)”, “(VI)”, and “(VII)”, respectively.

AMENDMENT NO. 3

On page 2, in line 10, strike “(2)” and substitute “(3)”; in the same line after “DRIVER” insert “FOR A MESSENGER SERVICE BUSINESS”; in line 11, strike “(1)” and substitute “(2)”; strike beginning with “INDIVIDUALLY” in line 12 down through “OBJECTS” in line 13; in line 15, after “VEHICLE” insert “:

(I) INDIVIDUALLY ADDRESSED MAIL, MESSAGES, AND DOCUMENTS IN PAPER OR MAGNETIC FORMAT; AND

(II) EMERGENCY MEDICAL SUPPLIES, RECORDS, PARCELS, OR SIMILAR ITEMS IF THE MESSENGER SERVICE BUSINESS PROVIDES TO THE SECRETARY EVIDENCE OF A WORKER STATUS DETERMINATION FROM THE INTERNAL REVENUE SERVICE OR OTHER EVIDENCE THAT THE MESSENGER SERVICE DRIVER IS EXCLUDED FROM COVERAGE UNDER THE FEDERAL UNEMPLOYMENT TAX ACT”.