

HOUSE BILL 861

C5

(5lr1856)

ENROLLED BILL

— *Economic Matters/Finance* —

Introduced by **Delegate Stewart**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Transportation Network Companies – ~~Itemized Receipts~~ Weekly Fare and**
3 **Earnings Summary and Operator Data Reporting**

4 FOR the purpose of requiring a transportation network company to provide ~~an~~ each
5 operator ~~and a passenger an itemized digital receipt that contains certain~~
6 ~~information as soon as practicable after the operator provides transportation~~
7 ~~network services to the passenger~~ with a weekly fare and earnings summary;
8 requiring a transportation network company to report, on or before a certain date
9 each year, certain information to the Public Service Commission; and generally
10 relating to transportation network companies.

11 BY repealing and reenacting, without amendments,
12 Article – Public Utilities
13 Section 10–101(a), (l), (m), and (n) and 10–401(a) and (c)
14 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



(2020 Replacement Volume and 2024 Supplement)

BY adding to

Article – Public Utilities

Section 10–403.2 and 10–409

Annotated Code of Maryland

(2020 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Utilities

10–101.

(a) In this title the following words have the meanings indicated.

(l) “Transportation network company” means a company that operates in the State using a digital network to connect passengers to transportation network operators or transportation network partners for transportation network services.

(m) “Transportation network operator”, “transportation network partner”, or “transportation network driver” means an individual who:

(1) has been issued a transportation network operator’s license, or is otherwise authorized, by the Commission to provide transportation network services;

(2) receives, through a transportation network company’s digital network application, a connection to a potential passenger to transport the passenger between points chosen by the passenger in exchange for the payment of a fee to the transportation network company; and

(3) uses a motor vehicle that is owned, leased, or otherwise authorized for use by the individual and is approved for use in providing transportation network services by the Commission.

(n) (1) “Transportation network services” means the activities of an operator during:

(i) transportation network coverage period one, during which the operator is logged onto and ready to accept a prearranged ride request made through a transportation network company’s digital network application;

(ii) transportation network coverage period two, during which the operator accepts a ride request from a passenger that is prearranged through a transportation network company’s digital network application, and is traveling to a predetermined location to pick up the passenger; and

(iii) transportation network coverage period three, during which the operator transports the passenger and continuing until the passenger departs the motor vehicle.

(2) “Transportation network services” does not include:

(i) providing taxicab services, sedan services, or limousine services;

(ii) any shared expense carpool arrangement or service or other type of arrangement or service in which a driver receives a fee that does not exceed the driver’s costs associated with providing a ride; or

(iii) transportation services that a nonprofit organization provides through the use of a volunteer driver and the volunteer driver’s personal vehicle.

10–401.

(a) In this subtitle the following words have the meanings indicated.

(c) “Operator” means a transportation network operator, transportation network partner, or transportation network driver.

10–403.2.

(A) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE EACH OPERATOR WITH A WEEKLY FARE AND EARNINGS SUMMARY THAT INCLUDES:

(1) THE TOTAL FARES COLLECTED BY THE OPERATOR TRANSPORTATION NETWORK COMPANY FOR THE TRANSPORTATION NETWORK SERVICES PROVIDED BY THE COMPANY’S OPERATORS IN A GIVEN WEEK;

(2) THE TOTAL AMOUNT OF ANY ADDITIONAL FEES THAT WERE CHARGED TO PASSENGERS BY THE TRANSPORTATION NETWORK COMPANY FOR THE TRANSPORTATION NETWORK SERVICES PROVIDED BY THE COMPANY’S OPERATORS IN A GIVEN WEEK;

~~(2)~~ (3) THE TOTAL AMOUNT THE OPERATOR EARNED THAT WEEK;
AND

~~(3)~~ (4) THE TOTAL AMOUNT THE OPERATOR EARNED FROM THE TOTAL FARES COLLECTED THAT WEEK, EXPRESSED AS A PERCENTAGE OF THE TOTAL FARES COLLECTED; AND

(5) THE TOTAL AMOUNT THE OPERATOR EARNED FROM THE ADDITIONAL FEES SPECIFIED IN ITEM (1) OF THIS SUBSECTION THAT WERE COLLECTED THAT WEEK, EXPRESSED AS A PERCENTAGE OF THE TOTAL ADDITIONAL FEES CHARGED.

(B) A TRANSPORTATION NETWORK COMPANY MAY INCLUDE IN THE WEEKLY FARE AND EARNINGS SUMMARY REQUIRED UNDER SUBSECTION (A) OF THIS SECTION:

(1) ANY ADDITIONAL INFORMATION THE COMPANY CONSIDERS APPROPRIATE; OR

(2) AMOUNTS EARNED BY AN OPERATOR OTHER THAN AMOUNTS EARNED FROM PROVIDING TRANSPORTATION NETWORK SERVICES.

~~(A) AS SOON AS PRACTICABLE AFTER AN OPERATOR PROVIDES TRANSPORTATION NETWORK SERVICES TO A PASSENGER, A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE THE OPERATOR AND PASSENGER ACCESS TO AN ITEMIZED DIGITAL RECEIPT THAT INCLUDES:~~

~~(1) THE AMOUNT THAT THE PASSENGER PAID FOR THE TRANSPORTATION NETWORK SERVICES;~~

~~(2) THE AMOUNT THAT THE OPERATOR WILL RECEIVE FROM THE AMOUNT PAID UNDER ITEM (1) OF THIS SUBSECTION; AND~~

~~(3) THE FINAL AMOUNT OF ANY ADDITIONAL FEES THAT ARE CHARGED TO THE PASSENGER BY THE TRANSPORTATION NETWORK COMPANY.~~

~~(B) THE TRANSPORTATION NETWORK COMPANY SHALL MAKE THE RECEIPT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AVAILABLE TO THE OPERATOR ON THE COMPANY'S DIGITAL NETWORK APPLICATION.~~

10-409.

(A) (1) ON OR BEFORE FEBRUARY 1 EACH YEAR, A TRANSPORTATION NETWORK COMPANY SHALL REPORT TO THE COMMISSION THE FOLLOWING INFORMATION IN AN AGGREGATED FORMAT FOR THE PRIOR YEAR:

(1) THE AVERAGE FARE COLLECTED FROM PASSENGERS IN THE STATE;

1 (2) THE TOTAL TIME DRIVEN BY OPERATORS WHILE PROVIDING
2 IN-STATE TRANSPORTATION NETWORK SERVICES ~~IN THE STATE~~ FOR THE
3 TRANSPORTATION NETWORK COMPANY; AND

4 (3) THE TOTAL AMOUNT EARNED BY OPERATORS FOR PROVIDING
5 IN-STATE TRANSPORTATION NETWORK SERVICES ~~IN THE STATE~~ FOR THE
6 TRANSPORTATION NETWORK COMPANY.

7 (B) ANY INFORMATION OBTAINED BY THE COMMISSION UNDER THIS
8 SECTION THAT IS NOT OTHERWISE PUBLICLY AVAILABLE:

9 (1) IS CONSIDERED:

10 (I) A TRADE SECRET; AND

11 (II) CONFIDENTIAL AND PROPRIETARY INFORMATION; AND

12 (2) IS NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC
13 INFORMATION ACT.

14 (C) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MAY
15 BE MADE AVAILABLE TO THE GENERAL ASSEMBLY ON REQUEST, PROVIDED THAT
16 THE REPORT REMAIN CONFIDENTIAL AND EXEMPT FROM PUBLIC DISCLOSURE.

17 ~~(1) THE TOTAL NUMBER OF OPERATORS THAT:~~

18 ~~1. WERE AUTHORIZED TO TRANSPORT PASSENGERS~~
19 ~~USING THE TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK~~
20 ~~APPLICATION;~~

21 ~~2. PROVIDED TRANSPORTATION NETWORK SERVICES~~
22 ~~FOR THE TRANSPORTATION NETWORK COMPANY ON A FULL TIME OR PART TIME~~
23 ~~BASIS; AND~~

24 ~~3. PROVIDED MORE THAN 40 HOURS OF~~
25 ~~TRANSPORTATION NETWORK SERVICES FOR THE TRANSPORTATION NETWORK~~
26 ~~COMPANY EACH WEEK;~~

27 ~~(II) THE MEDIAN AMOUNT PAID TO THE TRANSPORTATION~~
28 ~~NETWORK COMPANY'S OPERATORS; AND~~

29 ~~(III) DEMOGRAPHIC DATA FOR THE TRANSPORTATION NETWORK~~
30 ~~COMPANY'S OPERATORS, INCLUDING DEMOGRAPHIC DATA FOR OPERATORS WHO~~

~~HAVE BEEN PERMANENTLY DEACTIVATED BY THE TRANSPORTATION NETWORK
COMPANY.~~

~~(2) THE COMMISSION SHALL DETERMINE THE FORM AND CONTENT
OF THE DEMOGRAPHIC DATA REQUIRED UNDER PARAGRAPH (1)(III) OF THIS
SUBSECTION.~~

~~(B) ON OR BEFORE MARCH 1 EACH YEAR, THE COMMISSION SHALL
COMPILE THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION
AND REPORT THE INFORMATION TO THE DEPARTMENT OF TRANSPORTATION AND,
IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE
SENATE FINANCE COMMITTEE AND THE HOUSE ENVIRONMENT AND
TRANSPORTATION COMMITTEE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
~~October 1, 2025~~ January 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.