

SB0625 - MTA - TNC Exemption - Crossover - SUPP_F

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Position: FAV

March 24, 2022

The Honorable Kumar P. Barve
Chairman, House Environment and Transportation Committee
251 House Office Building
Annapolis, MD 21401

***Re: Letter of Support – Senate Bill 625 – Transportation of Disabled Persons –
Transportation Network Companies – Employee Requirements***

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 625 as it will allow the MDOT Maryland Transit Administration (MDOT MTA) to offer increased service for mobility customers by partnering with Transportation Network Companies (TNCs).

Senate Bill 625, which passed unanimously in the Senate, would exempt TNC employees that provide transit service to disabled persons under contract with the MDOT MTA from the fingerprinting requirement within Transportation Article 7-102.1. Senate Bill 625 requires TNCs that provide these transit services to run an annual background screening on all transit operators, including an operator's entire adult history. Senate Bill 625 requires that any background screening provider used by a TNC be audited and accredited by the Background Screening Credentialing Council of the Professional Background Screening Association. Senate Bill 625 also gives the MDOT MTA the ability to adopt more stringent regulations at its discretion and requires the MDOT MTA to complete a report on how to expand the service areas for the TNC supplemental service. Additionally, this legislation has received no opposition and is supported by the ARC of Maryland and the Maryland Developmental Disabilities Council.

The MDOT MTA has investigated several innovative ways to improve Mobility service and provide additional options for riders. One effective and immediate way to improve service is through contracts with TNCs for a service similar to the MDOT MTA's current Call-a-Ride program. Mobility riders will have the ability to opt into this supplemental service and their access to existing Mobility service will not change.

Many of the MDOT MTA's industry peers offer similar supplemental paratransit service using TNCs. Currently, the Washington Metropolitan Area Transit Authority (WMATA) offers supplemental premium TNC programs within Maryland.

In the MDOT MTA's initial discussions with major TNCs in the region, it was conveyed that the fingerprinting requirements of Section 7-102.1(e) of the Transportation Article would be a barrier to any contractual agreement with the MDOT MTA. Enacting Senate Bill 625 would immediately remove this impasse and allow negotiations and program implementation to proceed.

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As an added layer of protection for customers, Senate Bill 625 codifies Public Service Commission regulations on minimum standards for criminal history screenings and allows the MDOT MTA to adopt more stringent standards, if needed. Additionally, the MDOT MTA will accept and closely monitor concerns from riders.

The operator shortage that currently exists has had a negative impact on the vital service that Mobility supplies to those in need. Senate Bill 625 will directly address this issue and allow the MDOT MTA to bring a new and innovative solution that will keep our customers safe and on the move.

The Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 625 a favorable report.

Respectfully submitted,

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SB 625 - Support - Transportation of Disabled Pers

Uploaded by: Rachel London

Position: FAV



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Environment and Transportation Committee

SB 625: Transportation of Disabled Persons – Transportation Network Companies – Employee Requirements and Study

March 24, 2022

Position: Support

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. The DD Council is led by people with developmental disabilities and their families. **From that perspective, the DD Council supports SB 625 as it provides flexibility to transportation network companies, which increases access to transportation services for people with disabilities.**

WHAT does this legislation do?

- Requires that transportation network companies (ex. Uber, Lyft, Zipcar) that contract with the Maryland Transit Administration to provide transit services to people with disabilities conduct an annual background screening of all drivers.
- It exempts transportation network companies from doing a complete criminal history background check through the Criminal Justice Information System Central Repository.
- It also now requires the Maryland Transit Administration to study the possibility of expanding transit services for people with disabilities using transportation network companies to provide the transit services.

WHY is this legislation important?

- Accessible transportation options for people with disabilities remain one of the greatest barriers to participation in full community life.
- People with disabilities rely on various transportation options to access important resources.
- The flexibility of utilizing a transportation network company for travel can address crucial transportation service gaps for people with disabilities.

The DD Council supports SB 625 as amended by the Senate. It uses more appropriate language and adds the examination of the possibility of further expansion of transit services for people with disabilities. SB 625 is an important step towards increasing comprehensive and accessible transportation options for people with disabilities in Maryland.

Contact: Zach Hands, Communications and Legislative Liaison, zhands.mddc@gmail.com

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Uploaded by: Shelly Hettleman

Position: FAV



The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTMAN
SB 625 – TRANSPORTATION OF PERSONS WITH DISABILITIES –
TRANSPORTATION NETWORK COMPANIES – EMPLOYEE REQUIREMENTS

Mobility is a program in the Baltimore area that provides people with disabilities critical transportation services. Constituents who have disabilities are completely reliant on this service to meet their mobility needs for doctors' appointments, jobs, and everyday living. Our office has been contacted repeatedly over the years by these constituents, and those calls for help have been increasingly more frequent as they have experienced frustrating and sometimes dangerous, circumstances stemming from untimely and unreliable service.

One young man, who is blind, was left stranded on a college campus when his MTA Mobility ride never showed up. He had to navigate logistics and arrange for his own transportation, which finally came hours later. Another constituent reported being dropped by their in-home care provider due to lateness resulting from so many canceled scheduled appointments. Last week a constituent got very ill with a Multiple Sclerosis flare-up resulting from long exposure to the heat and stress of bouncing up and down on a MTA van. The ride should have been a 5-8 minute trip, but ended up taking over 110 minutes due to challenges with drivers, poor routing, and logistics planning. Along with being uncomfortable and sick from being overheated, the constituent was mortified because her bladder emptied during the unplanned, lengthy ride. These are just a few examples of the indignities, frustrations, and unacceptable treatment of our constituents. We must do better.

To their credit, the Maryland Transit Administration (MTA) has been accessible and responsive to our constituents' complaints, holding a town hall and meeting with us and our colleagues many times over the years. This bill is an attempt to enable the MTA to respond to our constituents' very real transportation needs.

During COVID, MTA experienced a dramatic decrease in the number of Mobility drivers. With these recent operator shortages, SB 625 is a necessary step towards expanding comprehensive and accessible transportation options for people with disabilities in Maryland. As the Maryland Transit Caucus has made us aware, nearly one third of people with disabilities routinely face inadequate access to transportation.

Current law requires that MTA obtain fingerprints from their drivers for criminal background checks, a provision that Transportation Network Companies (TNC's),

companies like Uber and Lyft, will not do. This bill would modify the provision in law, consistent with what is required by the Public Service Commission, and enable a TNC to use a background screening tool to obtain a full adult criminal history check for convictions in Maryland and all jurisdictions in the United States.

Specifically, the bill will:

- Exempt transportation network companies from doing a complete criminal history background check through the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.
- Exempt transportation employees that provide transit service to disabled persons under contract with the MTA from the fingerprinting requirement within the governing Transportation Article.
- Require that transportation providers run an annual background screening on all transit operators, including an operator's entire adult history.
- As amended, require that any background screening provider be audited and accredited by companies covered under the Fair Credit Reporting Act.

SB 625 will expand access to transportation for people with disabilities, improving their ability to participate in communal activities and independently access resources such as groceries, employment, healthcare appointments. The bill provides an innovative and effective way to ensure that Marylanders with disabilities have access to reliable and safe transportation services.