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MARYLAND

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To: Senate Committee on Finance

The members of the National Federation of the Blind of Maryland urge the Senate finance Committee to give a favorable report with amendment to SB0740. This bill would require transportation network companies to maintain deactivation policies and enact requirements relating to those policies and the steps to be taken relating to the deactivation of operators.

We understand the General Assembly's desire to protect transportation network operators from arbitrary and capricious deactivation and commend the bill's emphasis on transparent deactivation policies and procedures. The bill as written, however, is problematic to the extent that it creates loopholes that would prevent transportation network companies from deactivating transportation network operators who refuse service to the blind or people with disabilities, particularly those who use service animals, but also those who use long white canes and other mobility aids. For example, the bill says that a transportation network company's deactivation policies cannot provide for deactivation on the basis of "AN OPERATOR'S ACCEPTANCE OR REJECTION OF Any INDIVIDUAL OFFER, ANY TYPES OF OFFERS, OR ANY NUMBER OR PROPORTION OF OFFERS." This provision can be construed as prohibiting a transportation network company from deactivating a driver based on the driver's rejection of an offer from a person with a disability, with or without a service animal.

Unfortunately, transportation network companies have an abysmal record of respecting the rights of passengers with disabilities, particularly those who use guide dogs or other service animals and those who use long white canes and other mobility aids. Indeed, both the Maryland Attorney General and the United States Department of justice are currently considering or taking action against transportation networks for repeatedly violating the rights of passengers with disabilities, particularly those who use service animals. We therefore insist that the bill be amended to make clear that an operator can be immediately deactivated for discriminating against a passenger who is blind or has a disability based on that passenger's blindness, disability, or use of a service animal. This could be done, for example, by defining refusal to transport a passenger with a disability as "egregious misconduct" and by removing or modifying the language quoted above.

For these reasons, we ask for a favorable report conditional on the above amendments on SB0740. For questions, please contact me at President@nfbmd.org or at 443-426-4110.

National Federation of the Blind of Maryland

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