On February 9, 2015, a case of sexual assault in Boston had the media and public buzzing about the safety of the ride-for-hire industry. Many college students, young professionals and even teenagers rely on apps such as Uber and Lyft as affordable means of transportation. Once the question of safety arose, the demand for regulation on Transportation Network Companies quickly followed. This legislation calls for two-tier background checks to prevent people with certain histories of drug and alcohol abuse or criminal activity from being hired as drivers for these companies.

### The Bill

H.4064: An act relative to the ride for hire industry

### Elevator Speech

Our names are Matthew Beaver and Danielle Novotny, and we are students at Brandeis University. We believe that we can ensure the safety of riders in Massachusetts through reasonable regulation of ride-hailing services. In the past year the regulations for ride-hailing companies such as Uber have come under scrutiny in the wake of assault cases involving ride-hailing drivers. We and our fellow college students throughout Massachusetts frequently use Uber to stay safe while traveling through Boston – preventing drunk driving incidents, and traveling safely with a company we can rely upon. The bill requires drivers to have background checks, requires ride hailing services to have a panic button, in case of emergency, in the app, complete passenger reports that catalog the details of the ride, display visible decals for riders’ safety, and have adequate insurance. The current proposed regulations in bill H.4064 on the ride-hailing industry allows for increased safety for consumers while allowing ride-hailing companies to function in a way that allows us to use them. For the safety of riders, especially college students, I implore you to make this bill a priority and vote for this bill favorably as is out of the Senate. Thank you.

### House Ways and Means Script

My name is Matthew Beaver and I, along with my colleague Danielle Novotny, am a student of Brandeis University and a resident of Waltham. I am writing you because we are advocating for college students who use Transportation Networking Companies, like...
Uber, regarding bill 4064. Recently, the ride-hailing service industry has come under scrutiny for their under-regulated drivers, however the proposed regulation was too strict of a conclusion for the drivers. The proposed regulation, of the other bills, that we speak of is asking drivers to refrain from pickups at airports and requires strict fingerprinting along with background checks. The necessary regulation that would ensure the public’s safety is regulating them through a two-tier background check and regulating the car insurance policy that the company maintains.

Our connection to this bill is based on our frequent usage of the ride-hailing service Uber. As college students we and our fellow students rely on Uber for many safety reasons. For example, we have interviewed college students from Brandeis and other Massachusetts campuses and they attest that Uber is their way of preventing their drunk driving when needing to get home after a night of celebration or other drinking-related occasions. In addition, students look to Uber for transportation when feeling unsafe about walking in either an unsafe neighborhood or late at night. For these reasons, we support Uber and want to prevent strict, job reducing regulation because our and many other students’ safety would be directly impacted by this heavy unnecessary regulation. This is why I am writing to you asking for your support with bill 4064: An act relative to the ride for hire industry. This bill was constructed by Governor Charlie Baker in the hopes to regulate ride-hailing services only in the areas that were necessary such as background checks and car insurance.

The drivers we are advocating for are normal people who are working for extra income to help pay for their children's education and survive in this economy. TNCs offer a great way to make a second income doing something that isn’t very time consuming. They should not be subject to any overbearing regulation but instead just reasonable regulation to ensure that the ride-hailing industry may maintain its originality and ability to prosper. I understand you may be concerned about the practicality of a bill that does not completely check everything about each potential candidate. However, the purpose of this bill was to protect the people who would use this service but there will be no service to use if these regulations are passed. This is why Gov. Baker’s bill will protect the interests of the people and the drivers affected by this regulation. If your concern is financial, the new bill calls for a department within the Department of Public Utilities that will oversee licenses and background checks, however, there is so far no budgetary allocation for bringing in a new system of checks for the two-tier background check. The most important point we would like to make is that the cost compared to protecting the safety of all users and drivers of these ride-hailing services is less important, if we can ensure public safety through these regulations. Thank you.

Letter to the Legislator

We are students from Brandeis University advocating for Bill H.4064. An act relative to the ride for hire industry. We believe that the safety of riders in Massachusetts is achieved through reasonable regulation of ride-hailing services. In the past year the regulations for ride-hailing companies have come under scrutiny in the wake of assault cases involving ride-hailing drivers. We and our fellow college students throughout Massachusetts frequently use Uber to stay safe while traveling through and around Boston, preventing drunk driving incidents, and traveling safely with a company we can rely upon. We are concerned that the regulation that was initially proposed regarding fingerprinting will resurface as a way to further regulate the ride-hailing industry. As a solution, if this problem resurfaces, the reasons for the removal of a fingerprinting clause must be reasserted in order to protect the interests of drivers and potential drivers. Counterarguments for fingerprinting would suggest that the drivers must be strictly hired and must prevent all possible problems but this argument does not protect the interest of companies or the driver’s right to privacy and therefore should not be made an amendment to the bill. There is no research, however, that would suggest fingerprinting is a reliable method for safer hiring. By preventing this strict regulation, the ride-hailing industry will continue to grow and prosper, encouraging technology and transportation innovation.

We are requesting that if you are involved in redrafting this bill, please consider preventing an amendment allowing for fingerprinting. Because it does not ensure further background checks and safety of drivers, please reconsider encouraging fingerprinting in this bill.

Excerpts from Campaign Journals

Matthew

Meeting one with Ryan Gelman on Friday February 12th in the Massachusetts State House:

[In contrast to other legislators,] the representatives in contact with Ryan did not see a need for fingerprinting. These were all very different looks at the bill that Danielle and I hadn't experienced which really made this bill worth the time to look into. Ryan afterward provided us with transcripts from the first hearing regarding the bill and some others to reach out to and contact about our bill: these were Rep. Moran and Rep. Forry because they were to be part of the re-draft. We also received Ryan's contact and a direction for others to reach out to and what to specifically ask about. In reflection, the meeting was very helpful and at the perfect time because Danielle and I had very little access to information and Ryan Gelman had exactly the information and contacts that we needed to further research the bill.
Danielle

My and Matt’s first real meeting concerning the Uber bill was with Ryan Gelman, Legislative Director, in the House auditorium. At this point in the legislative process the Uber bill was very new; in fact there were three different versions of bills regarding the regulation of Transportation Network Companies: the bill from Governor Baker, the Moran-Forry bill, and H931. During our meeting with Mr. Gelman, he informed us that the House Ways and Means Committee was most likely going to combine the three bills into one while trying to address all the areas the three separate bills wished for. Once the three bills were redrafted into one, the new bill would be sent to the House of Representatives for a vote. Mr. Gelman hinted that the House was more likely to be pro-taxi while the Senate would be pro-TNC. Finally Mr. Gelman informed us about the medallion issue occurring with taxis since competition with Uber was taking away from taxis’ profits. In short, a medallion is a taxi, initially purchased on loans by the state, and ever since Uber, taxis have been unable to repay the state for their medallions. While this issue was not at the forefront of discussions regarding TNC regulation, Mr. Gelman mentioned that it was a subtle issue that taxi companies were pushing to resolve.

Update

On August 5, 2016, the bill was enacted and signed by Governor Baker under bill H.4570.

For more information

View the Bill: malegislature.gov/Bills/189/House/H4064/History