

SSB 5550 - S AMD 217
By Senator Habib

ADOPTED AS AMENDED 3/10/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "Department" means the department of licensing.

7 (2) "Personal vehicle" means a vehicle that is used by a
8 transportation network company driver in connection with providing
9 services for a transportation network company that meets the vehicle
10 criteria in this chapter and that is authorized by the transportation
11 network company.

12 (3) "Prearranged ride" means a route of travel between points
13 chosen by the passenger and arranged with a driver through the use of
14 a transportation network company's digital network or software
15 application. The ride begins when a driver accepts a requested ride
16 through a digital network or software application, continues while
17 the driver transports the passenger in a personal vehicle, and ends
18 when the passenger departs from the personal vehicle.

19 (4) "Transportation network company" means a corporation,
20 partnership, sole proprietorship, or other entity, operating in
21 Washington, that uses a digital network or software application to
22 connect passengers to drivers for the purpose of providing a
23 prearranged ride. A transportation network company is neither a
24 taxicab company, passenger charter carrier, or auto transportation
25 company, as described in Title 81 RCW, nor a limousine or for hire
26 operator, as defined in this title. A transportation network company
27 is not deemed to own, control, operate, or manage the personal
28 vehicles used by transportation network company drivers. A
29 transportation network company does not include a political
30 subdivision or other entity exempt from federal income tax under
31 U.S.C. Sec. 115 of the federal internal revenue code.

32 (5) "Transportation network company driver" or "driver" means an
33 individual who uses a personal vehicle to provide services for

1 passengers matched through a transportation network company's digital
2 network or software application. A driver is not a for hire operator
3 as that term is used in this title.

4 (6) "Transportation network company passenger" or "passenger"
5 means a passenger in a personal vehicle for whom transport is
6 provided, including:

7 (a) An individual who uses a transportation network company's
8 digital network or software application to connect with a driver to
9 obtain services in the driver's vehicle for the individual and anyone
10 in the individual's party; or

11 (b) Anyone for whom another individual uses a transportation
12 network company's digital network or software application to connect
13 with a driver to obtain services in the driver's vehicle.

14 (7) "Transportation network company services" or "services" means
15 all times the driver is logged in to a transportation network
16 company's digital network or software application or until the
17 passenger has left the personal vehicle, whichever is later. The term
18 does not include services provided either directly or under contract
19 with a political subdivision or other entity exempt from federal
20 income tax under 26 U.S.C. Sec. 115 of the federal internal revenue
21 code.

22 NEW SECTION. **Sec. 2.** (1)(a) A transportation network company
23 must comply with the requirements of this chapter, including those
24 relating to a driver's compliance with insurance, qualification,
25 conduct, nondiscrimination, maximum work hours, criminal history, and
26 driving record requirements. Any penalty for a violation of this
27 chapter may be assessed only against the transportation network
28 company, unless (i) the transportation network company could not have
29 reasonably known of the violation or (ii) the transportation network
30 company knew of the violation and expeditiously took action to
31 address the violation to the satisfaction of the department.

32 (b) This chapter does not relieve a driver from complying with
33 requirements applicable to private vehicles set out in this title,
34 including those relating to drivers' licenses, vehicle registrations,
35 minimum insurance, rules of the road, and the penalties associated
36 with any violation. A transportation network company driver is not
37 required to register the vehicle the driver uses for transportation
38 network company services as a commercial or for hire vehicle solely

1 because the driver uses the vehicle to provide transportation network
2 company services.

3 (2) Except as provided in rules adopted by the department
4 pursuant to this chapter, chapter 18.235 RCW governs unlicensed
5 practice, unprofessional conduct, the issuance and denial of permits,
6 and the discipline of permittees under this chapter.

7 (3) A transportation network company must comply with the
8 registered agent requirements of chapter 23B.05 RCW.

9 (4) Pursuant to rules adopted by the department that are
10 consistent with public safety and consumer protection, every
11 transportation network company operating under this chapter must
12 submit a quarterly report to the department, providing at a minimum
13 the total number of drivers using its digital network or software
14 application, the total number of prearranged rides, the total hours
15 that drivers are logged in to its network, the total hours spent
16 providing transportation network company services, and describing any
17 accident in which a personal vehicle was involved while carrying a
18 passenger.

19 (5) A transportation network company may not, with respect to
20 drivers using its digital network or software application, or drivers
21 using the digital network or software application of another
22 transportation network company, require drivers to agree to a
23 noncompetition agreement or otherwise prohibit a driver from working
24 with another transportation network company. However, a
25 transportation network company may prohibit a driver's use of any
26 brand or mark of the company in a way that is confusing to the
27 public.

28 (6) Every transportation network company must, if achievable,
29 make its digital network or software application accessible to
30 persons with disabilities.

31 NEW SECTION. **Sec. 3.** (1)(a) Before being used to provide
32 transportation network company services, every personal vehicle must
33 be covered by a primary automobile insurance policy that specifically
34 covers transportation network company services. However, the
35 insurance coverage requirements of this section are alternatively
36 satisfied by securing coverage pursuant to chapter 46.72 or 46.72A
37 RCW that covers the personal vehicle being used to provide
38 transportation network company services and that is in effect twenty-
39 four hours per day, seven days per week. Except as provided in

1 subsection (2) of this section, a transportation network company must
2 secure this policy for every personal vehicle used to provide
3 transportation network company services. For purposes of this
4 section, a "primary automobile insurance policy" is not a private
5 passenger automobile insurance policy.

6 (b) The primary automobile insurance policy required under this
7 section must provide coverage, as specified in this subsection
8 (1)(b), at all times the driver is logged in to a transportation
9 network company's digital network or software application and at all
10 times a passenger is in the vehicle as part of a prearranged ride.

11 (i) The primary automobile insurance policy required under this
12 subsection must provide liability coverage, during transportation
13 network company services applicable during the period before a driver
14 accepts a requested ride through a digital network or software
15 application, in an amount no less than fifty thousand dollars per
16 person for bodily injury, one hundred thousand dollars per accident
17 for bodily injury of all persons, and thirty thousand dollars for
18 damage to property.

19 (ii) The primary automobile insurance policy required under this
20 subsection must provide the following coverages, applicable during
21 the period of a prearranged ride:

22 (A) Combined single limit liability coverage in the amount of one
23 million dollars for death, personal injury, and property damage; and

24 (B) Uninsured motorist coverage and underinsured motorist
25 coverage in the amount of one million dollars.

26 (2)(a) As an alternative to the provisions of subsection (1) of
27 this section, if the office of the insurance commissioner approves
28 the offering of an insurance policy that recognizes that a person is
29 acting as a transportation network company driver and using a
30 personal vehicle to provide transportation network company services,
31 a driver may secure a primary automobile insurance policy covering a
32 personal vehicle and providing the same coverage as required in
33 subsection (1) of this section. The policy coverage may be in the
34 form of a rider to, or endorsement of, the driver's private passenger
35 automobile insurance policy only if approved as such by the office of
36 the insurance commissioner.

37 (b) If the primary automobile insurance policy maintained by a
38 driver to meet the obligation of this section does not provide
39 coverage for any reason, including that the policy lapsed or did not
40 exist, the transportation network company must provide the coverage

1 required under this section beginning with the first dollar of a
2 claim.

3 (c) The primary automobile insurance policy required under this
4 subsection and subsection (1) of this section may be secured by any
5 of the following:

6 (i) The transportation network company as provided under
7 subsection (1) of this section;

8 (ii) The driver as provided under (a) of this subsection; or

9 (iii) A combination of both the transportation network company
10 and the driver.

11 (3) The insurer or insurers providing coverage under subsections
12 (1) and (2) of this section are the only insurers having the duty to
13 defend any liability claim from an accident occurring while
14 transportation network company services are being provided.

15 (4) In addition to the requirements in subsections (1) and (2) of
16 this section, before allowing a person to provide transportation
17 network company services as a driver, a transportation network
18 company must provide written proof to the driver that the
19 transportation network company driver is covered by a primary
20 automobile insurance policy that meets the requirements of this
21 section.

22 (5)(a) If a transportation network company maintains a primary
23 automobile insurance policy to satisfy the obligations of this
24 section, it must provide proof of the policy to the department.

25 (b) Alternatively, if a driver purchases a primary automobile
26 insurance policy as allowed under subsection (2) of this section, the
27 transportation network company must verify that the driver has done
28 so. Additionally, the transportation network company must provide
29 proof to the department of the insurance required under subsection
30 (2)(b) of this section.

31 (c) Upon request from the department, drivers and transportation
32 network companies must provide copies of the policies required under
33 this section to the department.

34 (6) A primary automobile insurance policy required under
35 subsection (1) or (2) of this section may be placed with an insurer
36 licensed under Title 48 RCW to provide insurance in the state of
37 Washington or as an eligible surplus line insurance policy as
38 described in RCW 48.15.040.

39 (7) Nothing in this section shall be construed to require a
40 private passenger automobile insurance policy to provide primary or

1 excess coverage or a duty to defend for the period of time in which a
2 driver is logged in to a transportation network company's digital
3 network or software application or while a passenger is in the
4 vehicle.

5 (8) If more than one insurance policy provides valid and
6 collectible coverage for a loss arising out of an occurrence
7 involving a motor vehicle operated by a driver, the responsibility
8 for the claim must be divided as follows:

9 (a) Except as provided otherwise under subsection (2)(c) of this
10 section, if the driver has been matched with a passenger and is
11 traveling to pick up the passenger, or the driver is providing
12 services to a passenger, the transportation network company that
13 matched the driver and passenger must provide insurance coverage; or

14 (b) If the driver is logged in to more than one transportation
15 network company digital network or software application but has not
16 been matched with a passenger, the liability must be divided equally
17 among all of the applicable insurance policies that specifically
18 provide coverage for transportation network company services.

19 (9) In an accident or claims coverage investigation, a
20 transportation network company or its insurer must cooperate with a
21 private passenger automobile insurance policy insurer and other
22 insurers that are involved in the claims coverage investigation to
23 facilitate the exchange of information, including the provision of

24 (a) dates and times at which an accident occurred that involved a
25 participating driver and (b) within ten business days after receiving
26 a request, a copy of the company's electronic record showing the
27 precise times that the participating driver logged on and off the
28 transportation network company's digital network or software
29 application on the day the accident or other loss occurred. The
30 transportation network company or its insurer must retain all data,
31 communications, or documents related to insurance coverage or
32 accident details for a period of not less than the applicable
33 statutes of limitation, plus two years from the date of an accident
34 to which those records pertain.

35 (10) This section does not modify or abrogate any otherwise
36 applicable insurance requirement set forth in Title 48 RCW.

37 (11) After July 1, 2016, an insurance company regulated under
38 Title 48 RCW may not deny an otherwise covered claim arising
39 exclusively out of the personal use of the private passenger
40 automobile solely on the basis that the insured, at other times, used

1 the private passenger automobile covered by the policy to provide
2 transportation network company services.

3 (12) A city, county, political subdivision, or special purpose
4 district may not:

5 (a) Adopt a law, rule, or ordinance that is in conflict with this
6 chapter;

7 (b) Except as provided in subsections (13) and (14) of this
8 section, require a transportation network company or driver to obtain
9 any additional approval to provide services, such as a permit or
10 license, before operating within the jurisdiction. However, this
11 subsection (12)(b) does not apply to standard business licenses and
12 the levying of business-related taxes at the local level; or

13 (c) Prohibit the provision of transportation network company
14 services or the use of such services within the jurisdiction.

15 (13) Cities with a population of more than one hundred fifty
16 thousand and counties with a population of more than four hundred
17 forty thousand may (a) require a transportation network company to
18 obtain additional approval to provide services, such as a permit or
19 license, before operating within the jurisdiction, (b) impose
20 regulatory fees to cover the costs of enforcement, and (c) impose
21 monetary penalties by civil infraction for the violation of any of
22 the provisions of this chapter. If a city or county exercises the
23 authority provided under this subsection, it must provide quarterly
24 reports to the department regarding its regulatory activities.

25 (14) A port district that operates an airport may (a) require a
26 transportation network company to obtain additional approval to
27 provide services, such as a permit or license, before operating
28 within the port district, (b) impose regulatory or use fees related
29 to the operation of the transportation network company within the
30 port district as otherwise allowed by law, and (c) impose monetary
31 penalties for the violation of any of the provisions of this chapter
32 or any supplemental rules not in conflict with this chapter adopted
33 by the port district to ensure safe and reliable transportation
34 network company services within the port district. If a port district
35 exercises the authority provided under this subsection, it must
36 provide quarterly reports to the department regarding its regulatory
37 activities.

38 (15) A port district that operates an airport must consider all
39 for hire operators, including taxicab companies, on an equal basis in
40 the request for proposals process used to determine which entity or

1 entities will be contracted to provide on-demand commercial
2 transportation services to and from the airport. Nothing in this
3 subsection (15) restricts the criteria used by the port district in
4 determining which entity or entities will be contracted to provide
5 commercial transportation services to and from the airport.

6 NEW SECTION. **Sec. 4.** (1) The following requirements apply to
7 the provision of services:

8 (a) A driver may not solicit or accept the on-demand summoning of
9 a ride.

10 (b) A transportation network company must make available to
11 prospective passengers and drivers the method by which the
12 transportation network company calculates fares or the applicable
13 rates being charged and an option to receive an estimated fare.

14 (c) Upon completion of a prearranged ride, a transportation
15 network company must transmit to the passenger an electronic receipt,
16 either by electronic mail or by text message, which must document:

17 (i) The point of origin and destination of the passenger's trip;

18 (ii) The total duration and distance of the passenger's trip;

19 (iii) The total fare paid, including the base fare and any
20 additional charges incurred or distance traveled or duration of the
21 passenger's trip; and

22 (iv) The driver's first name and license plate number.

23 (d) Before permitting a person to act as a driver on its digital
24 network or software application, a transportation network company
25 must confirm that the person is at least twenty-one years of age and
26 possesses:

27 (i) A valid driver's license;

28 (ii) Proof of private passenger automobile insurance;

29 (iii) Proof that the vehicle is registered in Washington; and

30 (iv) Pursuant to rules adopted by the department, proof that the
31 person has certified that he or she does not experience any condition
32 that interferes with his or her ability to safely provide services
33 pursuant to this chapter.

34 (e) A driver may not provide prearranged rides for more than
35 twelve consecutive hours or more than twelve hours in any twenty-four
36 hour period, except that a driver may finish a prearranged ride that
37 began before either time restriction.

38 (f) A transportation network company must implement an
39 intoxicating substance policy for drivers that disallows any amount

1 of intoxication of the driver while providing services. The
2 transportation network company must include on its web site and
3 mobile device application software a notice concerning the
4 transportation network company's intoxicating substance policy.

5 (g)(i) Prior to providing transportation network company
6 services, a transportation network company must require every
7 personal vehicle to undergo a uniform vehicle safety inspection
8 performed by an approved mechanic who must certify in writing that
9 the vehicle is mechanically sound and fit for driving. The approved
10 mechanic must also certify in writing that the exterior markings
11 required under this section are legible and properly displayed.

12 (ii) The safety inspection required under this subsection (1)(g)
13 must be conducted annually while the personal vehicle is being used
14 to provide transportation network company services and include an
15 inspection of the following:

- 16 (A) Foot brakes;
- 17 (B) Emergency brakes;
- 18 (C) Steering mechanism;
- 19 (D) Windshield;
- 20 (E) Rear window and other glass;
- 21 (F) Windshield wipers;
- 22 (G) Headlights;
- 23 (H) Taillights;
- 24 (I) Turn indicator lights;
- 25 (J) Stop lights;
- 26 (K) Front seat adjustment mechanism;
- 27 (L) The opening, closing, and locking capability of the doors;
- 28 (M) Horn;
- 29 (N) Speedometer;
- 30 (O) Bumpers;
- 31 (P) Muffler and exhaust system;
- 32 (Q) Tire conditions, including tread depth;
- 33 (R) Interior and exterior rearview mirrors; and
- 34 (S) Safety belts.

35 (iii) A transportation network company or a third party must
36 retain inspection records for at least fourteen months after an
37 inspection was conducted for each personal vehicle used by a driver.

38 (iv) For purposes of this subsection (1)(g), "approved mechanic"
39 means a mechanic or technician who is certified with the national
40 institute for automotive service excellence and does not own, lease,

1 or drive a taxicab, for hire vehicle, or transportation network
2 company-endorsed vehicle.

3 (h) A personal vehicle must be no more than ten years old, have
4 at least four doors, and be designed to carry no more than eight
5 passengers, including the driver.

6 (i)(i) A transportation network company must make the following
7 disclosures to a prospective driver in the prospective driver's terms
8 of service:

9 WHILE OPERATING ON THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
10 NETWORK OR SOFTWARE APPLICATION, YOUR PRIVATE PASSENGER AUTOMOBILE
11 INSURANCE POLICY MIGHT NOT AFFORD LIABILITY, UNDERINSURED MOTORIST,
12 PERSONAL INJURY PROTECTION, COMPREHENSIVE OR COLLISION COVERAGE,
13 DEPENDING ON THE TERMS OF THE POLICY.

14 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION
15 NETWORK COMPANY SERVICES FOR OUR TRANSPORTATION NETWORK COMPANY HAS A
16 LIEN AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE
17 USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES THAT
18 MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

19 (ii) The prospective driver must acknowledge the terms of service
20 electronically or by signature.

21 (j) A transportation network company must make available to a
22 passenger a customer support telephone number on its digital network,
23 software application, or web site for passenger inquiries or
24 complaints.

25 (k)(i) A transportation network company may not disclose to a
26 third party any personally identifiable information concerning the
27 user of the transportation network company's digital network or
28 software application, unless:

29 (A) The transportation network company obtains the user's consent
30 to disclose personally identifiable information;

31 (B) Disclosure is necessary to comply with a legal obligation; or

32 (C) Disclosure is necessary to protect or defend the terms and
33 conditions for use of the service or to investigate violations of the
34 terms and conditions.

35 (ii) The limitation on disclosure does not apply to the
36 disclosure of aggregated user data. In addition, a transportation
37 network company may share a passenger's first name or telephone
38 number, or both, with the driver providing a prearranged ride to the
39 passenger in order to facilitate correct identification of the

1 passenger by the driver or to facilitate communication between the
2 passenger and the driver.

3 (iii) The department may revoke a transportation network
4 company's permit upon the department's finding that the company
5 knowingly or negligently violated the passenger privacy provisions of
6 this subsection (1)(k).

7 (2) Each transportation network company must require that each
8 personal vehicle providing transportation network company services
9 display a plainly visible exterior marking that identifies the
10 personal vehicle as one providing such services.

11 (3)(a) Before a person is permitted to act as a driver through
12 use of a transportation network company's digital network or software
13 application, the person must undergo a criminal history record check
14 for conviction records performed by the Washington state patrol or an
15 entity approved by the department that meets standards adopted by
16 rule by the department. A driver must undergo a criminal history
17 record check every year while serving as a driver. The department
18 must retain the results of a criminal history record check for each
19 driver that provides services for the transportation network company
20 until five years after the criminal history record check was
21 conducted or until the acquisition of an updated criminal history
22 record check, whichever occurs first. A criminal history record check
23 must remain confidential, may be used only for the purposes of this
24 subsection (3), and is not subject to the disclosure requirements
25 under chapter 42.56 RCW.

26 (b) A person who has been convicted of driving under the
27 influence of drugs or alcohol in the previous five years before
28 applying to become a driver may not serve as a driver.

29 (c)(i) If the criminal history record check reveals that the
30 person has ever been convicted of the following offenses, the person
31 may not serve as a driver:

32 (A) A sex offense, as described in chapters 9.68A and 9A.44 RCW;

33 (B) A violent offense, as defined in RCW 9.94A.030.

34 (ii) A person who has been convicted of a comparable offense to
35 the offenses listed in (c)(i) of this subsection in another state may
36 not serve as a driver.

37 (iii) If the criminal history record check reveals that the
38 person has ever been convicted of the following felony offenses in
39 the previous five years before applying to become a driver, the
40 person may not serve as a driver:

1 (A) A felony offense involving fraud, as described in chapters
2 9.45 and 9A.60 RCW;

3 (B) Felony burglary, trespass, or vehicle prowling, as described
4 in chapter 9A.52 RCW;

5 (C) Felony theft, robbery, extortion, or possession of stolen
6 property, as described in chapter 9A.56 RCW.

7 (iv) A person who has been convicted of a comparable offense to
8 the offenses listed in (c)(iii) of this subsection in another state
9 in the previous five years before applying to become a driver may not
10 serve as a driver.

11 (4)(a) Before permitting an individual to act as a driver on its
12 digital network or software application, a transportation network
13 company must obtain and review the individual's driving record.

14 (b) An individual with the following violations may not serve as
15 a driver:

16 (i) More than three moving violations within the three-year
17 period preceding the individual's application to serve as a driver;
18 or

19 (ii) A violation for reckless driving under RCW 46.61.500;
20 vehicular homicide under RCW 46.61.520; vehicular assault under RCW
21 46.61.522; negligent driving in the first or second degree under RCW
22 46.61.5249, 46.61.525, or 46.61.526; driving without a license under
23 RCW 46.20.005; or driving with a revoked license under RCW 46.20.342
24 or 46.20.345.

25 (c) A transportation network company or a third party must retain
26 the driving record for each driver that provides services for the
27 transportation network company for at least three years.

28 (5) If any person files a complaint with the department against a
29 transportation network company or driver, the department may inspect
30 the transportation network company's records as reasonably necessary
31 to investigate and resolve the complaint.

32 (6)(a) Except for a trip whose destination is more than thirty-
33 five miles from where the passenger is picked up, a transportation
34 network company and transportation network company drivers must
35 provide services to the public in a nondiscriminatory manner,
36 regardless of geographic location of the departure point or
37 destination. Once a passenger is in the vehicle, a driver may not
38 refuse a passenger's request to use a toll facility if the use of the
39 facility would facilitate an efficient route of travel to the
40 passenger's destination; however, an additional charge may be imposed

1 by the company to cover any applicable toll. A transportation network
2 company or transportation network company driver may not refuse
3 service or impose additional charges or conditions based on a
4 passenger's race, religion, ethnicity, gender, sexual orientation,
5 gender identity, or disability. Once a passenger and driver have been
6 matched for the purpose of a prearranged ride, a driver may not
7 refuse to transport a passenger, unless:

8 (i) The passenger is acting in an unlawful, disorderly, or
9 endangering manner; or

10 (ii) The passenger is unable to care for himself or herself and
11 is not in the charge of a responsible companion.

12 (b) A driver must permit a service animal to accompany a
13 passenger on a prearranged ride.

14 (c)(i) If a passenger with physical or mental disabilities
15 requires the use of mobility equipment, a driver must store such
16 equipment in the vehicle during a prearranged ride, if the vehicle is
17 reasonably capable of doing so. If the driver is unable to store a
18 passenger's mobility equipment in the driver's vehicle, the driver
19 must refer the passenger to another driver or transportation service
20 with a vehicle that is equipped to accommodate such equipment, and
21 may not charge the passenger a cancellation fee.

22 (ii) If a passenger is traveling with a child who requires the
23 use of a child restraint system under RCW 46.61.687, a driver must
24 allow the passenger to temporarily install the restraint system in
25 the personal vehicle, if the vehicle is reasonably capable of
26 accepting it. If the child restraint system is unable to be
27 temporarily installed in the vehicle, the driver must refer the
28 passenger to another driver or transportation service with a vehicle
29 that is equipped to accommodate such a system, and may not charge the
30 passenger a cancellation fee.

31 (7) Within ten days of receiving a complaint about a driver's
32 alleged violation of subsection (6) of this section, the department
33 must report the complaint to the transportation network company for
34 which the driver provides services.

35 (8) A driver must immediately report to the transportation
36 network company any refusal to transport a passenger pursuant to
37 subsection (6)(a) of this section, and the transportation network
38 company must annually report all such refusals to the department in a
39 form and manner determined by the department.

1 NEW SECTION. **Sec. 5.** (1) A transportation network company may
2 not operate without first having obtained a permit from the
3 department. The department must require this permit to be renewed
4 annually.

5 (2) The department must issue a permit to each transportation
6 network company that meets the requirements of this chapter and pays
7 to the department the fees required under subsection (3) of this
8 section. The department may adjust the annual permit fee by rule to
9 recover the department's direct and indirect costs associated with
10 implementing this chapter.

11 (3)(a) A transportation network company must pay the following
12 fee to the department at the time of its initial application for a
13 permit:

14 (i) Until July 1, 2016, the fee is one hundred thousand dollars;
15 and

16 (ii) After July 1, 2016, the fee is five thousand dollars.

17 (b) Upon the annual renewal of a permit issued pursuant to this
18 section, a transportation network company must pay the following
19 applicable renewal fee, depending on the number of drivers shown in
20 the transportation network company's most recent quarterly report
21 sent to the department pursuant to section 2(4) of this act:

22 (i) For transportation network companies with ten or fewer
23 drivers, the annual renewal fee is five thousand dollars;

24 (ii) For transportation network companies with between eleven and
25 one hundred drivers, the annual renewal fee is twenty thousand
26 dollars;

27 (iii) For transportation network companies with between one
28 hundred one and one thousand drivers, the annual renewal fee is fifty
29 thousand dollars; and

30 (iv) For transportation network companies with more than one
31 thousand drivers, the annual renewal fee is one hundred thousand
32 dollars.

33 (4) The department must determine the form and manner of the
34 application for a transportation network company permit.

35 (5) Consistent with section 2(1)(a) of this act, the department
36 may cancel, revoke, or suspend any permit issued under this chapter
37 on any of the following grounds:

38 (a) The violation of any of the provisions of this chapter;

39 (b) The violation of an order, decision, rule, or requirement
40 established by the department under this chapter;

1 (c) Failure of the transportation network company to pay a fee
2 imposed on the company, including those imposed by a jurisdiction
3 under section 3 (13) and (14) of this act, within the time required
4 under law; or

5 (d) Failure of the transportation network company to maintain
6 insurance coverage, if required under this chapter.

7 (6) The department may deny an application under this chapter, or
8 refuse to renew the permit of a transportation network company, based
9 on a determination that the transportation network company has not
10 satisfied a civil penalty arising out of an administrative or
11 enforcement action brought by the department.

12 NEW SECTION. **Sec. 6.** The transportation network company account
13 is created in the custody of the state treasurer. All moneys received
14 by the department pursuant to this chapter, and any interest earned
15 on investments in the account, must be deposited into the account.
16 Expenditures from the account may be used by the department for any
17 purpose related to the regulation of transportation network companies
18 that is consistent with this chapter. Only the director or the
19 director's designee may authorize expenditures from the account. The
20 account is subject to allotment procedures under chapter 43.88 RCW,
21 but an appropriation is not required for expenditures.

22 NEW SECTION. **Sec. 7.** (1) The department may adopt all rules
23 specifically necessary to enforce this chapter.

24 (2) The department must adopt rules requiring a transportation
25 network company to file with the department evidence of the
26 transportation network company's insurance policies required under
27 this chapter and proof of continued validity of these policies.

28 NEW SECTION. **Sec. 8.** All personally identifiable information
29 collected under this chapter is exempt from disclosure under chapter
30 42.56 RCW.

31 **Sec. 9.** RCW 18.235.020 and 2013 c 322 s 29 are each amended to
32 read as follows:

33 (1) This chapter applies only to the director and the boards and
34 commissions having jurisdiction in relation to the businesses and
35 professions licensed under the chapters specified in this section.

1 This chapter does not apply to any business or profession not
2 licensed under the chapters specified in this section.

3 (2)(a) The director has authority under this chapter in relation
4 to the following businesses and professions:

5 (i) Auctioneers under chapter 18.11 RCW;

6 (ii) Bail bond agents and bail bond recovery agents under chapter
7 18.185 RCW;

8 (iii) Camping resorts' operators and salespersons under chapter
9 19.105 RCW;

10 (iv) Commercial telephone solicitors under chapter 19.158 RCW;

11 (v) Cosmetologists, barbers, manicurists, and estheticians under
12 chapter 18.16 RCW;

13 (vi) Court reporters under chapter 18.145 RCW;

14 (vii) Driver training schools and instructors under chapter 46.82
15 RCW;

16 (viii) Employment agencies under chapter 19.31 RCW;

17 (ix) For hire vehicle operators under chapter 46.72 RCW;

18 (x) Limousines under chapter 46.72A RCW;

19 (xi) Notaries public under chapter 42.44 RCW;

20 (xii) Private investigators under chapter 18.165 RCW;

21 (xiii) Professional boxing, martial arts, and wrestling under
22 chapter 67.08 RCW;

23 (xiv) Real estate appraisers under chapter 18.140 RCW;

24 (xv) Real estate brokers and salespersons under chapters 18.85
25 and 18.86 RCW;

26 (xvi) Scrap metal processors, scrap metal recyclers, and scrap
27 metal suppliers under chapter 19.290 RCW;

28 (xvii) Security guards under chapter 18.170 RCW;

29 (xviii) Sellers of travel under chapter 19.138 RCW;

30 (xix) Timeshares and timeshare salespersons under chapter 64.36
31 RCW;

32 (xx) Transportation network companies under chapter 46.--- RCW
33 (the new chapter created in section 17 of this act);

34 (xxi) Whitewater river outfitters under chapter 79A.60 RCW;

35 ~~((xxi))~~ (xxii) Home inspectors under chapter 18.280 RCW;

36 ~~((xxii))~~ (xxiii) Body artists, body piercers, and tattoo
37 artists, and body art, body piercing, and tattooing shops and
38 businesses, under chapter 18.300 RCW; and

39 ~~((xxiii))~~ (xxiv) Appraisal management companies under chapter
40 18.310 RCW.

1 (b) The boards and commissions having authority under this
2 chapter are as follows:

3 (i) The state board for architects established in chapter 18.08
4 RCW;

5 (ii) The Washington state collection agency board established in
6 chapter 19.16 RCW;

7 (iii) The state board of registration for professional engineers
8 and land surveyors established in chapter 18.43 RCW governing
9 licenses issued under chapters 18.43 and 18.210 RCW;

10 (iv) The funeral and cemetery board established in chapter 18.39
11 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

12 (v) The state board of licensure for landscape architects
13 established in chapter 18.96 RCW; and

14 (vi) The state geologist licensing board established in chapter
15 18.220 RCW.

16 (3) In addition to the authority to discipline license holders,
17 the disciplinary authority may grant or deny licenses based on the
18 conditions and criteria established in this chapter and the chapters
19 specified in subsection (2) of this section. This chapter also
20 governs any investigation, hearing, or proceeding relating to denial
21 of licensure or issuance of a license conditioned on the applicant's
22 compliance with an order entered under RCW 18.235.110 by the
23 disciplinary authority.

24 **Sec. 10.** RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and
25 2014 c 144 s 6 are each reenacted and amended to read as follows:

26 The following financial, commercial, and proprietary information
27 is exempt from disclosure under this chapter:

28 (1) Valuable formulae, designs, drawings, computer source code or
29 object code, and research data obtained by any agency within five
30 years of the request for disclosure when disclosure would produce
31 private gain and public loss;

32 (2) Financial information supplied by or on behalf of a person,
33 firm, or corporation for the purpose of qualifying to submit a bid or
34 proposal for (a) a ferry system construction or repair contract as
35 required by RCW 47.60.680 through 47.60.750 or (b) highway
36 construction or improvement as required by RCW 47.28.070;

37 (3) Financial and commercial information and records supplied by
38 private persons pertaining to export services provided under chapters

1 43.163 and 53.31 RCW, and by persons pertaining to export projects
2 under RCW 43.23.035;

3 (4) Financial and commercial information and records supplied by
4 businesses or individuals during application for loans or program
5 services provided by chapters 43.325, 43.163, 43.160, 43.330, and
6 43.168 RCW, or during application for economic development loans or
7 program services provided by any local agency;

8 (5) Financial information, business plans, examination reports,
9 and any information produced or obtained in evaluating or examining a
10 business and industrial development corporation organized or seeking
11 certification under chapter 31.24 RCW;

12 (6) Financial and commercial information supplied to the state
13 investment board by any person when the information relates to the
14 investment of public trust or retirement funds and when disclosure
15 would result in loss to such funds or in private loss to the
16 providers of this information;

17 (7) Financial and valuable trade information under RCW 51.36.120;

18 (8) Financial, commercial, operations, and technical and research
19 information and data submitted to or obtained by the clean Washington
20 center in applications for, or delivery of, program services under
21 chapter 70.95H RCW;

22 (9) Financial and commercial information requested by the public
23 stadium authority from any person or organization that leases or uses
24 the stadium and exhibition center as defined in RCW 36.102.010;

25 (10)(a) Financial information, including but not limited to
26 account numbers and values, and other identification numbers supplied
27 by or on behalf of a person, firm, corporation, limited liability
28 company, partnership, or other entity related to an application for a
29 horse racing license submitted pursuant to RCW 67.16.260(1)(b),
30 marijuana producer, processor, or retailer license, liquor license,
31 gambling license, or lottery retail license;

32 (b) Internal control documents, independent auditors' reports and
33 financial statements, and supporting documents: (i) Of house-banked
34 social card game licensees required by the gambling commission
35 pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted
36 by tribes with an approved tribal/state compact for class III gaming;

37 (11) Proprietary data, trade secrets, or other information that
38 relates to: (a) A vendor's unique methods of conducting business; (b)
39 data unique to the product or services of the vendor; or (c)
40 determining prices or rates to be charged for services, submitted by

1 any vendor to the department of social and health services for
2 purposes of the development, acquisition, or implementation of state
3 purchased health care as defined in RCW 41.05.011;

4 (12)(a) When supplied to and in the records of the department of
5 commerce:

6 (i) Financial and proprietary information collected from any
7 person and provided to the department of commerce pursuant to RCW
8 43.330.050(8); and

9 (ii) Financial or proprietary information collected from any
10 person and provided to the department of commerce or the office of
11 the governor in connection with the siting, recruitment, expansion,
12 retention, or relocation of that person's business and until a siting
13 decision is made, identifying information of any person supplying
14 information under this subsection and the locations being considered
15 for siting, relocation, or expansion of a business;

16 (b) When developed by the department of commerce based on
17 information as described in (a)(i) of this subsection, any work
18 product is not exempt from disclosure;

19 (c) For the purposes of this subsection, "siting decision" means
20 the decision to acquire or not to acquire a site;

21 (d) If there is no written contact for a period of sixty days to
22 the department of commerce from a person connected with siting,
23 recruitment, expansion, retention, or relocation of that person's
24 business, information described in (a)(ii) of this subsection will be
25 available to the public under this chapter;

26 (13) Financial and proprietary information submitted to or
27 obtained by the department of ecology or the authority created under
28 chapter 70.95N RCW to implement chapter 70.95N RCW;

29 (14) Financial, commercial, operations, and technical and
30 research information and data submitted to or obtained by the life
31 sciences discovery fund authority in applications for, or delivery
32 of, grants under chapter 43.350 RCW, to the extent that such
33 information, if revealed, would reasonably be expected to result in
34 private loss to the providers of this information;

35 (15) Financial and commercial information provided as evidence to
36 the department of licensing as required by RCW 19.112.110 or
37 19.112.120, except information disclosed in aggregate form that does
38 not permit the identification of information related to individual
39 fuel licensees;

1 (16) Any production records, mineral assessments, and trade
2 secrets submitted by a permit holder, mine operator, or landowner to
3 the department of natural resources under RCW 78.44.085;

4 (17)(a) Farm plans developed by conservation districts, unless
5 permission to release the farm plan is granted by the landowner or
6 operator who requested the plan, or the farm plan is used for the
7 application or issuance of a permit;

8 (b) Farm plans developed under chapter 90.48 RCW and not under
9 the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject
10 to RCW 42.56.610 and 90.64.190;

11 (18) Financial, commercial, operations, and technical and
12 research information and data submitted to or obtained by a health
13 sciences and services authority in applications for, or delivery of,
14 grants under RCW 35.104.010 through 35.104.060, to the extent that
15 such information, if revealed, would reasonably be expected to result
16 in private loss to providers of this information;

17 (19) Information gathered under chapter 19.85 RCW or RCW
18 34.05.328 that can be identified to a particular business;

19 (20) Financial and commercial information submitted to or
20 obtained by the University of Washington, other than information the
21 university is required to disclose under RCW 28B.20.150, when the
22 information relates to investments in private funds, to the extent
23 that such information, if revealed, would reasonably be expected to
24 result in loss to the University of Washington consolidated endowment
25 fund or to result in private loss to the providers of this
26 information; ~~((and))~~

27 (21) Market share data submitted by a manufacturer under RCW
28 70.95N.190(4); ~~((and))~~

29 (22) Financial information supplied to the department of
30 financial institutions or to a portal under RCW 21.20.883, when filed
31 by or on behalf of an issuer of securities for the purpose of
32 obtaining the exemption from state securities registration for small
33 securities offerings provided under RCW 21.20.880 or when filed by or
34 on behalf of an investor for the purpose of purchasing such
35 securities; and

36 (23) The quarterly reports submitted by transportation network
37 companies pursuant to section 2(4) of this act and any records
38 provided to the department of licensing to facilitate the enforcement
39 of chapter 46.--- RCW (the new chapter created in section 17 of this
40 act).

1 **Sec. 11.** RCW 46.72.010 and 1996 c 87 s 18 are each amended to
2 read as follows:

3 When used in this chapter:

4 (1) The term "for hire vehicle" includes all vehicles used for
5 the transportation of passengers for compensation, except auto
6 stages, school buses operating exclusively under a contract to a
7 school district, ride-sharing vehicles under chapter 46.74 RCW,
8 limousine carriers licensed under chapter 46.72A RCW, personal
9 vehicles used to provide transportation network company services
10 under chapter 46.--- RCW (the new chapter created in section 17 of
11 this act), vehicles used by nonprofit transportation providers for
12 (~~elderly or handicapped~~) persons with special transportation needs
13 and their attendants under chapter 81.66 RCW, vehicles used by auto
14 transportation companies licensed under chapter 81.68 RCW, vehicles
15 used to provide courtesy transportation at no charge to and from
16 parking lots, hotels, and rental offices, and vehicles used by
17 charter party carriers of passengers and excursion service carriers
18 licensed under chapter 81.70 RCW;

19 (2) The term "for hire operator" means and includes any person,
20 concern, or entity engaged in the transportation of passengers for
21 compensation in for hire vehicles.

22 **Sec. 12.** RCW 51.12.020 and 2013 c 141 s 3 are each amended to
23 read as follows:

24 The following are the only employments which shall not be
25 included within the mandatory coverage of this title:

26 (1) Any person employed as a domestic servant in a private home
27 by an employer who has less than two employees regularly employed
28 forty or more hours a week in such employment.

29 (2) Any person employed to do gardening, maintenance, or repair,
30 in or about the private home of the employer. For the purposes of
31 this subsection, "maintenance" means the work of keeping in proper
32 condition, "repair" means to restore to sound condition after damage,
33 and "private home" means a person's place of residence.

34 (3) A person whose employment is not in the course of the trade,
35 business, or profession of his or her employer and is not in or about
36 the private home of the employer.

37 (4) Any person performing services in return for aid or
38 sustenance only, received from any religious or charitable
39 organization.

1 (5) Sole proprietors or partners.

2 (6) Any child under eighteen years of age employed by his or her
3 parent or parents in agricultural activities on the family farm.

4 (7) Jockeys while participating in or preparing horses for race
5 meets licensed by the Washington horse racing commission pursuant to
6 chapter 67.16 RCW.

7 (8)(a) Except as otherwise provided in (b) of this subsection,
8 any bona fide officer of a corporation voluntarily elected or
9 voluntarily appointed in accordance with the articles of
10 incorporation or bylaws of the corporation, who at all times during
11 the period involved is also a bona fide director, and who is also a
12 shareholder of the corporation. Only such officers who exercise
13 substantial control in the daily management of the corporation and
14 whose primary responsibilities do not include the performance of
15 manual labor are included within this subsection.

16 (b) Alternatively, a corporation that is not a "public company"
17 as defined in RCW 23B.01.400 may exempt eight or fewer bona fide
18 officers, who are voluntarily elected or voluntarily appointed in
19 accordance with the articles of incorporation or bylaws of the
20 corporation and who exercise substantial control in the daily
21 management of the corporation, from coverage under this title without
22 regard to the officers' performance of manual labor if the exempted
23 officer is a shareholder of the corporation, or may exempt any number
24 of officers if all the exempted officers are related by blood within
25 the third degree or marriage. If a corporation that is not a "public
26 company" elects to be covered under subsection (8)(a) of this
27 section, the corporation's election must be made on a form prescribed
28 by the department and under such reasonable rules as the department
29 may adopt.

30 (c) Determinations respecting the status of persons performing
31 services for a corporation shall be made, in part, by reference to
32 Title 23B RCW and to compliance by the corporation with its own
33 articles of incorporation and bylaws. For the purpose of determining
34 coverage under this title, substance shall control over form, and
35 mandatory coverage under this title shall extend to all workers of
36 this state, regardless of honorary titles conferred upon those
37 actually serving as workers.

38 (d) A corporation may elect to cover officers who are exempted by
39 this subsection in the manner provided by RCW 51.12.110.

1 (9) Services rendered by a musician or entertainer under a
2 contract with a purchaser of the services, for a specific engagement
3 or engagements when such musician or entertainer performs no other
4 duties for the purchaser and is not regularly and continuously
5 employed by the purchaser. A purchaser does not include the leader of
6 a group or recognized entity who employs other than on a casual basis
7 musicians or entertainers.

8 (10) Services performed by a newspaper vendor, carrier, or
9 delivery person selling or distributing newspapers on the street, to
10 offices, to businesses, or from house to house and any freelance news
11 correspondent or "stringer" who, using his or her own equipment,
12 chooses to submit material for publication for free or a fee when
13 such material is published.

14 (11) Services performed by an insurance producer, as defined in
15 RCW 48.17.010, or a surplus line broker licensed under chapter 48.15
16 RCW.

17 (12) Services performed by a booth renter. However, a person
18 exempted under this subsection may elect coverage under RCW
19 51.32.030.

20 (13) Members of a limited liability company, if either:

21 (a) Management of the company is vested in its members, and the
22 members for whom exemption is sought would qualify for exemption
23 under subsection (5) of this section were the company a sole
24 proprietorship or partnership; or

25 (b) Management of the company is vested in one or more managers,
26 and the members for whom the exemption is sought are managers who
27 would qualify for exemption under subsection (8) of this section were
28 the company a corporation.

29 (14) A transportation network company driver providing
30 transportation network company services unless a transportation
31 network company and the transportation network company driver
32 expressly agree otherwise in writing. For purposes of this
33 subsection, a transportation network company driver qualifies under
34 this subsection only if:

35 (a) The transportation network company does not prescribe
36 specific hours during which a transportation network company driver
37 must be logged into the transportation network company's digital
38 platform or establish a minimum number of (i) prearranged rides
39 accepted, (ii) hours worked, or (iii) miles traveled;

1 (b) The transportation network company imposes no restrictions on
2 the transportation network company driver's ability to utilize
3 digital platforms from other transportation network companies;

4 (c) The transportation network company does not assign the
5 transportation network company driver a particular territory in which
6 transportation network company services can be provided; and

7 (d) The transportation network company does not restrict a
8 transportation network company driver from engaging in any other
9 occupation or business.

10 (15) For hire vehicle operators under chapter 46.72 RCW who own
11 or lease the for hire vehicle, chauffeurs under chapter 46.72A RCW
12 who own or lease the limousine, and operators of taxicabs under
13 chapter 81.72 RCW who own or lease the taxicab. An owner or lessee
14 may elect coverage in the manner provided by RCW 51.32.030.

15 **Sec. 13.** RCW 81.72.240 and 2011 c 190 s 8 are each amended to
16 read as follows:

17 (1) By September 1, 2015, and at least every two years
18 thereafter, any city, town, county, or port district setting the
19 rates charged for taxicab services under this chapter must adjust
20 rates to accommodate (~~changes~~) increases or decreases in the cost
21 of industrial insurance (~~or in other industry wide costs~~).

22 (2) By September 1, 2015, and at least every two years
23 thereafter, any city, town, county, or port district regulating lease
24 rates under this chapter must adjust rates to accommodate increases
25 or decreases in the cost of industrial insurance. Any changes in
26 lease rates take effect upon entry into a new lease.

27 (3) Any business that as owner leases a taxicab licensed under
28 this chapter to a for hire operator must make a reasonable effort to
29 train the for hire operator in motor vehicle operation and safety
30 requirements and monitor operator compliance. Monitoring operator
31 compliance may include the use of vehicle operator monitoring
32 cameras.

33 **Sec. 14.** RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are
34 each reenacted and amended to read as follows:

35 (1) Money in the treasurer's trust fund may be deposited,
36 invested, and reinvested by the state treasurer in accordance with
37 RCW 43.84.080 in the same manner and to the same extent as if the

1 money were in the state treasury, and may be commingled with moneys
2 in the state treasury for cash management and cash balance purposes.

3 (2) All income received from investment of the treasurer's trust
4 fund must be set aside in an account in the treasury trust fund to be
5 known as the investment income account.

6 (3) The investment income account may be utilized for the payment
7 of purchased banking services on behalf of treasurer's trust funds
8 including, but not limited to, depository, safekeeping, and
9 disbursement functions for the state treasurer or affected state
10 agencies. The investment income account is subject in all respects to
11 chapter 43.88 RCW, but no appropriation is required for payments to
12 financial institutions. Payments must occur prior to distribution of
13 earnings set forth in subsection (4) of this section.

14 (4)(a) Monthly, the state treasurer must distribute the earnings
15 credited to the investment income account to the state general fund
16 except under (b), (c), and (d) of this subsection.

17 (b) The following accounts and funds must receive their
18 proportionate share of earnings based upon each account's or fund's
19 average daily balance for the period: The Washington promise
20 scholarship account, the Washington advanced college tuition payment
21 program account, the accessible communities account, the community
22 and technical college innovation account, the agricultural local
23 fund, the American Indian scholarship endowment fund, the foster care
24 scholarship endowment fund, the foster care endowed scholarship trust
25 fund, the contract harvesting revolving account, the Washington state
26 combined fund drive account, the commemorative works account, the
27 county enhanced 911 excise tax account, the toll collection account,
28 the developmental disabilities endowment trust fund, the energy
29 account, the fair fund, the family leave insurance account, the food
30 animal veterinarian conditional scholarship account, the fruit and
31 vegetable inspection account, the future teachers conditional
32 scholarship account, the game farm alternative account, the GET ready
33 for math and science scholarship account, the Washington global
34 health technologies and product development account, the grain
35 inspection revolving fund, the industrial insurance rainy day fund,
36 the juvenile accountability incentive account, the law enforcement
37 officers' and firefighters' plan 2 expense fund, the local tourism
38 promotion account, the multiagency permitting team account, the
39 pilotage account, the produce railcar pool account, the regional
40 transportation investment district account, the rural rehabilitation

1 account, the stadium and exhibition center account, the youth
2 athletic facility account, the self-insurance revolving fund, the
3 children's trust fund, the Washington horse racing commission
4 Washington bred owners' bonus fund and breeder awards account, the
5 Washington horse racing commission class C purse fund account, the
6 individual development account program account, the Washington horse
7 racing commission operating account, the life sciences discovery
8 fund, the Washington state heritage center account, the reduced
9 cigarette ignition propensity account, the center for childhood
10 deafness and hearing loss account, the school for the blind account,
11 the Millersylvania park trust fund, the public employees' and
12 retirees' insurance reserve fund, the transportation network company
13 account, and the radiation perpetual maintenance fund.

14 (c) The following accounts and funds must receive eighty percent
15 of their proportionate share of earnings based upon each account's or
16 fund's average daily balance for the period: The advanced right-of-
17 way revolving fund, the advanced environmental mitigation revolving
18 account, the federal narcotics asset forfeitures account, the high
19 occupancy vehicle account, the local rail service assistance account,
20 and the miscellaneous transportation programs account.

21 (d) Any state agency that has independent authority over accounts
22 or funds not statutorily required to be held in the custody of the
23 state treasurer that deposits funds into a fund or account in the
24 custody of the state treasurer pursuant to an agreement with the
25 office of the state treasurer shall receive its proportionate share
26 of earnings based upon each account's or fund's average daily balance
27 for the period.

28 (5) In conformance with Article II, section 37 of the state
29 Constitution, no trust accounts or funds shall be allocated earnings
30 without the specific affirmative directive of this section.

31 NEW SECTION. **Sec. 15.** The following acts or parts of acts are
32 each repealed:

33 (1) RCW 46.72.073 (Certificate suspension or revocation—Failure
34 to pay industrial insurance premiums—Rules—Cooperative agreements)
35 and 2011 c 190 s 5;

36 (2) RCW 46.72A.053 (Certificate suspension or revocation—Failure
37 to pay industrial insurance premiums—Rules—Cooperative agreements)
38 and 2011 c 190 s 6;

1 (3) RCW 51.12.180 (For hire vehicle businesses and operators—
2 Findings—Declaration) and 2011 c 190 s 1;
3 (4) RCW 51.12.183 (For hire vehicle businesses and operators—
4 Mandatory coverage—Definitions) and 2011 c 190 s 2;
5 (5) RCW 51.12.185 (For hire vehicle owners—Retrospective rating
6 program) and 2011 c 190 s 4;
7 (6) RCW 51.16.240 (For hire vehicle businesses and operators—
8 Basis for premiums—Rules) and 2011 c 190 s 3; and
9 (7) RCW 81.72.230 (License suspension or revocation—Failure to
10 pay industrial insurance premiums—Rules—Cooperative agreements) and
11 2011 c 190 s 7.

12 NEW SECTION. **Sec. 16.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 17.** Sections 1 through 8 of this act
17 constitute a new chapter in Title 46 RCW."

SSB 5550 - S AMD 217
By Senator Habib

ADOPTED AS AMENDED 3/10/2015

18 On page 1, line 2 of the title, after "services;" strike the
19 remainder of the title and insert "amending RCW 18.235.020,
20 46.72.010, 51.12.020, and 81.72.240; reenacting and amending RCW
21 42.56.270 and 43.79A.040; adding a new chapter to Title 46 RCW; and
22 repealing RCW 46.72.073, 46.72A.053, 51.12.180, 51.12.183, 51.12.185,
23 51.16.240, and 81.72.230."

EFFECT: (1) Specifies that having taxi or limousine insurance policies that cover the vehicles used for transportation network company (TNC) services and that are in effect twenty-four hours a day, seven days a week alternatively satisfies the insurance requirements of the bill.

(2) Allows the department of licensing to adjust permit fees to cover implementation costs.

(3) Prohibits a driver from refusing a passenger's request to use a toll facility that facilitates an efficient route of travel.

(4) Requires the driver criminal history record checks to be conducted on an annual basis.

(5) Allows port districts that operate airports to (a) require a TNC to obtain additional permits or licenses before operating within

the port district; (b) impose regulatory or use fees related to the operation of the TNC; and (c) impose monetary penalties for violations of the chapter or any supplemental ordinances or rules not in conflict with the chapter adopted by the port district to ensure safe and reliable TNC services.

(6) Prohibits vehicles from being older than ten years old.

(7) Requires the customer support telephone numbers provided by TNCs for customer inquiries to also allow for customer complaints.

(8) Revises the jurisdictions eligible to require local TNC permits/licenses, impose regulatory fees, and impose monetary penalties to cities over 150,000 and counties over 440,000.

(9) Requires port districts that operate airports to consider all for hire operators, including taxicab companies, on an equal basis in the request for proposals process used to determine which entity or entities will be contracted to provide on-demand commercial transportation services to and from the airport.

(10) Clarifies more directly that a TNC driver is not required to register his or her TNC vehicle as a commercial or for hire vehicle solely because the driver uses the vehicle to provide TNC services.

(11) Clarifies that a TNC may share a passenger's first name/ phone number with the driver to facilitate (a) correct identification of the passenger or (b) communication between the passenger and driver.

--- END ---