

SENATE BILL REPORT

SB 6074

As of January 29, 2024

Title: An act relating to death benefits applicable to drivers of transportation network companies.

Brief Description: Concerning death benefits applicable to drivers of transportation network companies.

Sponsors: Senators Saldaña, Hasegawa, Valdez and Wilson, C..

Brief History:

Committee Activity: Labor & Commerce: 1/30/24.

Brief Summary of Bill

- Provides that death benefits under the workers' compensation system must be paid to a transportation network company (TNC) driver if the driver's death results from an injury while the driver was logged onto the TNC's digital network as available for work and physically inside or within the immediate proximity of the TNC driver's vehicle.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Susan Jones (786-7404)

Background: Under the state's industrial insurance laws, workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits. The Department of Labor and Industries (L&I) administers the program. Depending on the disability, workers receive medical, temporary time-loss, and vocational rehabilitation benefits, as well as benefits for permanent disabilities.

When death results from the work-related injury, the surviving spouse receives a pension until the spouse remarries. Dependent children of workers who die from a work-related

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injury are also entitled to benefits, as are other dependents. The beneficiary must submit an application for benefits within one year from the date of the worker's death due to injury. The amount of a monthly survivor benefit varies depending upon whether there is a surviving spouse or registered domestic partner, children, or other dependents. For example, a surviving spouse or registered domestic partner may receive 60 percent of the wages at the time of injury up to the maximum level allowed by law. If the worker had minor children, an additional 2 percent per child is paid, up to an additional maximum of 10 percent.

A transportation network company (TNC), is a company that uses a digital network to connect passengers to drivers for prearranged rides. L&I assesses TNCs premiums for workers' compensation coverage applicable to drivers during the time the driver is traveling from a dispatch location to pick up a passenger and while the driver is transporting the passenger. Workers' compensation coverage does not apply to drivers at other times.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): Death benefits are payable when a TNC driver's death results from an injury occurring while the driver is:

- logged on the TNC digital network as available for work;
- physically inside or within the immediate proximity of the TNC driver's vehicle; and
- not otherwise covered under the workers' compensation laws.

The statute of limitations begins on the TNC driver's death. L&I may adopt rules regarding these benefits.

The cost of the death benefits must be included in the consideration of rate increases for the risk class and not attributed to a single TNC.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.