
HOUSE BILL 2382

State of Washington

68th Legislature

2024 Regular Session

By Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet, and Ormsby

Read first time 01/16/24. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to death benefits applicable to drivers of
2 transportation network companies; amending RCW 51.16.250; and adding
3 a new section to chapter 51.32 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.32
6 RCW to read as follows:

7 (1) In addition to the coverage provided in RCW 51.16.250, when a
8 transportation network company driver's death results from an injury
9 while the driver is logged onto the transportation network company's
10 digital network as available for work, death benefits shall be
11 payable in accordance with RCW 51.32.050.

12 (2) As applicable, for the purposes of this section, the
13 definitions in RCW 49.46.300 apply.

14 (3) For the purposes of this section, the applicable statute of
15 limitations begins upon the driver's death.

16 (4) The department may adopt rules to implement this section.

17 **Sec. 2.** RCW 51.16.250 and 2022 c 281 s 11 are each amended to
18 read as follows:

19 (1) Beginning January 1, 2023, the department shall assess
20 premiums for transportation network companies, as defined in RCW

1 49.46.300, in accordance with RCW 51.16.035 and this section, for
2 workers' compensation coverage applicable to drivers, as defined in
3 RCW 49.46.300, while the driver is engaged in passenger platform time
4 and dispatch platform time, as those terms are defined in RCW
5 49.46.300.

6 (2) For the purposes of calculating the premium for drivers under
7 subsection (1) of this section, the department shall multiply the
8 total number of hours spent by drivers in passenger platform time and
9 dispatch platform time on the transportation network company's driver
10 platform by the rates established for taxicab companies. The
11 department may subsequently adjust premiums in accordance with
12 department rules.

13 (3) For a death that is covered under section 1 of this act, the
14 cost of the benefits must be included in the consideration of rate
15 increases for the risk class and not attributed to a single
16 transportation network company.

17 (4) Transportation network companies, not qualifying as a self-
18 insurer, shall insure with the state and shall, on or before the last
19 day of January, April, July, and October of each year thereafter,
20 furnish the department with a true and accurate statement of the
21 hours for which drivers, as defined in RCW 49.46.300, were engaged in
22 passenger platform time and dispatch platform time on the
23 transportation network company's driver platform during the preceding
24 calendar quarter and the total amount paid to such drivers engaged in
25 passenger platform time on the transportation network company's
26 driver platform during the preceding calendar quarter, and shall pay
27 its premium based on the total passenger platform time and dispatch
28 platform time to the appropriate fund. Premiums for a calendar
29 quarter, whether reported or not, shall become due and delinquent on
30 the day immediately following the last day of the month following the
31 calendar quarter. The sufficiency of such statement shall be subject
32 to the approval of the director: PROVIDED, That the director may in
33 his or her discretion and for the effective administration of this
34 title require a transportation network company in individual
35 instances to furnish a supplementary report containing the name of
36 each individual driver, his or her hours engaged in passenger
37 platform time and dispatch platform time on the transportation
38 network company's driver platform, and his or her compensation:
39 PROVIDED FURTHER, That the department may promulgate rules and
40 regulations in accordance with chapter 34.05 RCW to establish other

1 reporting periods and payment due dates in lieu of reports and
2 payments following each calendar quarter, and may also establish
3 terms and conditions for payment of premiums and assessments based on
4 estimated passenger platform time and dispatch platform time on the
5 transportation network company's driver platform, with such payments
6 being subject to approval as to sufficiency of the estimated
7 passenger platform time and dispatch platform time on the
8 transportation network company's driver platform by the department,
9 and also subject to appropriate periodic adjustments made by the
10 department based on actual passenger platform time and dispatch
11 platform time on the transportation network company's driver
12 platform.

13 ~~((4))~~ (5) The department may adopt rules to carry out the
14 purposes of this section, including rules providing for alternative
15 reporting requirements.

16 ~~((5))~~ (6) This section does not apply to any worker who is not
17 a driver, and who is employed by the transportation network company.
18 For those workers the processes for determining coverage, calculating
19 premiums, reporting requirements, reporting periods, and payment due
20 dates are subject to the provisions of this title that apply
21 generally to employers and workers.

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