

Honolulu, Hawaii

FEB 07 , 2020

RE: H.B. No. 2002
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2002 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES,"

begs leave to report as follows:

The purpose of this measure is to establish statewide regulation of transportation network companies to provide operational consistency across Hawaii and to set up a permitting process within the Department of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation; Uber Technologies, Inc.; Lyft; and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Passenger and Property Carriers Association and Roberts Hawaii, Inc. Your Committee received comments on this measure from the Consumer Data Industry Association.

Your Committee finds that statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers, as well as to preserve and enhance access to important transportation options for residents and visitors of the State.



Your Committee has amended this measure by:

- (1) Explicitly granting full authority to the Director of Transportation to enforce the statutes and rules relating to transportation network companies and transportation network drivers;
- (2) Providing for the certification of transportation network company vehicles;
- (3) Removing the requirement that the third-party commercial background check company must be accredited by the Professional Background Screening Association;
- (4) Authorizing:
 - (A) The Director of Transportation to revoke or suspend the registration of a transportation network company that has engaged in unlawful conduct; and
 - (B) Any person who has been harmed by a transportation network company's unlawful conduct to file suit against the company;and granting full authority to the Director of Transportation to implement these provisions;
- (5) Allowing persons who believe that a violation of the statutes or rules governing transportation network companies has occurred to file a written complaint and granting the Director of Transportation full authority to conduct investigations, examinations, and hearings regarding such complaints;
- (6) Granting full authority to the Director of Transportation to retain personnel and employ public or private analytical systems, methods, or software to conduct investigations or examinations;
- (7) Granting full authority to the Director of Transportation to charge an examination or investigation fee;



- (8) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2002, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2002, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,


HENRY J.C. AQUINO, Chair



