



NELA Testifies at the MA State House / TIEF Fund Update

By: Rick Szilagyi, NELA Executive Director

It was a cold and blustery morning in Boston on Friday, January 17th. The Joint Committee on Transportation scheduled 66 bills to be heard during that morning's session. Perhaps due to the formidable number of bills on the docket, perhaps due to it



being the Friday before a long weekend, the number of people attending the hearing, and the number of people signing up to testify on any of the bills, were both relatively small.

Overseeing the session were Senator Boncore, the Chair of the Senate Committee on Transportation, and Representative Straus, the

Chair of the House Committee on Transportation. The NELA was there with a member of our lobbying team to testify in favor of Senate Bill 2032, a bill we submitted and that was sponsored for us by Senator Boncore. Our bill is described as "an act relative to drug screening for all for-hire drivers."

There were other bills of interest to the NELA, including Governor Charlie Baker's bill, S2289, "an act relative to public safety and transparency by transportation network companies." The Governor's bill was "the star" of the day's slate, and is designed to correct the failure of Uber and Lyft and other TNCs to provide any meaningful data relative to their trips in Massachusetts. The commonwealth wants to receive data that helps to better understand the TNC impact on traffic. Everyone is upset by the ever-increasing traffic in Boston, and everyone knows that much of the increase is due to TNC vehicles flooding the roads and tunnels, but the TNCs have failed to help with any meaningful information. (What a shock.)

Whenever state officials are present to testify on bills at a hearing, those bills are heard first. Testifying on behalf of the Governor's bill were two representatives of the DPU, and one from the MA State Police. After this panel of three concluded their testimony, they received questions. One senator asked about fingerprinting, stating that he uses

Uber and Lyft all the time, and when he asks the drivers if they would be willing to undergo fingerprinting, 99% of the drivers respond that they would be fine with it. The DPU reps said that they felt their background check would not be improved by fingerprinting. And the state trooper supported them. We were not happy with those statements, but our lobbyist advised me that because we had information relative to statements made on other bills ahead of ours, we had license to comment and we knew they created an opportunity for us.

After another bill was heard, Representative Straus decided to read the name of the next person signed up to testify, S-z-i-l-a-g-y-i, and it was our turn. After the usual courtesies and identifying myself and the NELA, I stated that the NELA supports S2032, an act relative to drug screening for all for-hire drivers... which INCLUDES livery. (Our lobbying team advised that I emphasize that part.)

But, before I commented on S2032, I stated that we had information relevant to previous statements. I stated that relative to the Governor's bill, we wanted to take the opportunity to thank the DPU for the fantastic job they are doing with background checks on TNC drivers, and that the most recent figures the department has shared is that their screening results in 15% of the drivers found acceptable by the TNCs background checks are being refused TNC certification by the DPU. Then I addressed the senator who had made the comment about fingerprinting, stating that we have a current fingerprinting bill, H1066, sitting in the Joint Committee on Financial Services. I emphasized that TNC drivers should be fingerprinted, just as all taxi drivers are already. And, I stated that back in a hearing prior to the passage of the 2016 TNC legislation, Uber's newly hired Chief Safety Officer, Ed Davis, the former Boston Chief of Police, agreed that fingerprinting was the gold standard for background checks.

Finally, I moved on to state support for our drug screening bill. Along the way, I hit other relevant topics, pointing out that our original 2015/2016 bill included other important safety and financial responsibility aspects, such as fingerprinting, 24/7 commercial insurance, and plates. Regarding plates, I made the point that the failure to adequately identify TNC cars leads to women getting into cars driven by criminals masquerading as TNC drivers, resulting in assaults.

So, what will happen? Perhaps our bill, S2032, will be pursued with interest. Perhaps it will not. Right now, the "energy" around TNCs is all about traffic congestion. We will keep you updated. And, as long as we have funding from our members that they earmark for legislative efforts, we will keep at it.

Remember the TIEF Fund? The one that was part of our 2016 TNC legislation? There should be about \$8MM in that fund now, earmarked to assist Taxi and Livery. We have done everything asked of us to assist in determining how that fund can be used. And answers to our questions have been slow in coming. But, thanks to our lobbying team, we have a high-level meeting scheduled for early February. More soon.