

HOUSE No. 1161

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring the fingerprinting of TNC drivers.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------|-----------------------|------------------|
| <i>Michael J. Moran</i> | <i>18th Suffolk</i> | <i>2/12/2021</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>2/26/2021</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | <i>3/8/2021</i> |

HOUSE No. 1161

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 1161) of Michael J. Moran, Michelle M. DuBois and Timothy R. Whelan relative to requiring the fingerprinting of transportation network company drivers. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1066 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act requiring the fingerprinting of TNC drivers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 159A ½ is hereby amended in section 4 by inserting at the end of
2 subsection (c) the following two paragraphs:-

3 The division shall conduct fingerprint-based checks of the state and national criminal
4 history databases, as authorized by 28 CFR 20.33 and Public Law 92-544. The fingerprint-based
5 checks shall be conducted on any applicant seeking to be a driver. Authorized department staff
6 may receive all criminal offender record information and the results of checks of state and
7 national criminal history databases under said Public Law 92-544. When the department obtains
8 the results of checks of state and national criminal history databases, it shall treat the information
9 according to sections 167 to 178, inclusive, of chapter 6 and the regulations thereunder regarding
10 criminal offender record information.

11 Fingerprints shall be submitted to the identification section of the department of state
12 police for a state criminal history check and forwarded to the Federal Bureau of Investigation for
13 a national criminal history check, according to the policies and procedures established by the
14 state identification section and by the department of criminal justice information services.
15 Fingerprint submissions may be retained by the Federal Bureau of Investigation, the state
16 identification section and the department of criminal justice information services to assist the
17 department in its review of suitability for initial or continued employment. The department of
18 criminal justice information services may disseminate the results of a state and national criminal
19 history check to the department to determine the suitability of an applicant that is consistent with
20 the provisions of this section. The division shall promulgate rules and regulations for
21 implementing the fingerprinting process, including the recovery of cost associated with this
22 program from the transportation network company.