

ASSEMBLY TRANSPORTATION AND INDEPENDENT
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2859

STATE OF NEW JERSEY

DATED: OCTOBER 17, 2022

The Assembly Transportation and Independent Authorities Committee reports favorably Assembly Bill No. 2859.

As reported, this bill requires applicants to be transportation network company (TNC) drivers to provide information during the application process about other TNCs that the applicant has worked for and a statement on whether the applicant has been the subject of a sexual misconduct investigation in connection with the applicant's work as a TNC driver. The bill authorizes a TNC to ban drivers from accessing a TNC's digital network if the driver is the subject of an ongoing investigation into sexual misconduct allegations arising out of the driver's work as a TNC driver or if an investigation has been completed and has resulted in a finding that the driver engaged in sexual misconduct connected to the driver's role as a TNC driver. If the investigation results in inconclusive findings or in a finding that the allegations were false or the allegations are not substantiated, the TNC is authorized to consider the totality of the circumstances and to elect to prohibit the driver from utilizing the TNC's digital network, notwithstanding the results of the investigation.

A TNC that receives an allegation of sexual misconduct committed by a driver is required to notify each registered TNC in the State of the allegation, the status of any investigation, and the ultimate results or findings of the investigation. If the TNC becomes aware of a criminal investigation regarding the allegations, the TNC is required to notify each registered TNC of that information.

The bill authorizes law enforcement agencies that have made an arrest for sexual misconduct of an individual who is believed to be a TNC driver, where the sexual misconduct occurred during a prearranged ride, to provide each registered TNC in the State with a record of the arrest. If the individual is ultimately convicted of a crime arising out of the alleged sexual misconduct, the law enforcement agency is authorized to notify each registered TNC in the State.