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SENATE BILL 5550

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State of Washington

64th Legislature

2015 Regular Session

By Senators Habib and Fain

Read first time 01/23/15. Referred to Committee on Transportation.

1 AN ACT Relating to providers of commercial transportation  
2 services; amending RCW 51.12.183; and adding a new chapter to Title  
3 46 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply  
6 throughout this chapter unless the context clearly requires  
7 otherwise.

8 (1) "Department" means the department of licensing.

9 (2) "Personal vehicle" means a vehicle that is used by a  
10 transportation network company driver in connection with providing  
11 services for a transportation network company that meets the vehicle  
12 criteria in this chapter and that is authorized by the transportation  
13 network company.

14 (3) "Prearranged ride" means a route of travel that begins when a  
15 driver accepts a requested ride through a digital network or software  
16 application, continues while the driver transports the passenger in a  
17 personal vehicle, and ends when the passenger departs from the  
18 personal vehicle.

19 (4) "Transportation network company" means a corporation,  
20 partnership, sole proprietorship, or other entity, operating in  
21 Washington, that uses a digital network or software application to

1 connect passengers to drivers for the purpose of providing  
2 transportation. A transportation network company is neither a taxicab  
3 company, passenger charter carrier, or auto transportation company,  
4 as described in Title 81 RCW, nor a limousine or for hire vehicle, as  
5 defined in this title. A transportation network company is not deemed  
6 to own, control, operate, or manage the personal vehicles used by  
7 transportation network company drivers. A transportation network  
8 company does not include a political subdivision or other entity  
9 exempt from federal income tax under 26 U.S.C. Sec. 115 of the  
10 federal internal revenue code.

11 (5) "Transportation network company driver" or "driver" means an  
12 individual who uses a personal vehicle to provide services for  
13 passengers matched through a transportation network company's digital  
14 network or software application. A driver need not be an employee of  
15 a transportation network company. A driver is not a for hire operator  
16 as that term is used in this title and Title 51 RCW.

17 (6) "Transportation network company passenger" or "passenger"  
18 means a passenger in a personal vehicle for whom transport is  
19 provided, including:

20 (a) An individual who uses a transportation network company's  
21 digital network or software application to connect with a driver to  
22 obtain services in the driver's vehicle for the individual and anyone  
23 in the individual's party; or

24 (b) Anyone for whom another individual uses a transportation  
25 network company's digital network or software application to connect  
26 with a driver to obtain services in the driver's vehicle.

27 (7) "Transportation network company services" or "services" means  
28 the provision of transportation by a driver to a passenger with whom  
29 the driver is matched through a transportation network company or all  
30 times the driver is logged in to a transportation network company's  
31 digital network or software application. The term does not include  
32 services provided either directly or under contract with a political  
33 subdivision or other entity exempt from federal income tax under 26  
34 U.S.C. Sec. 115 of the federal internal revenue code.

35 NEW SECTION. **Sec. 2.** (1)(a) A transportation network company  
36 must comply with the requirements of this chapter, including those  
37 relating to a driver's compliance with insurance, qualification,  
38 conduct, nondiscrimination, maximum work hours, criminal history, and  
39 driving record requirements. Any penalty for a violation of this

1 chapter may be assessed only against the transportation network  
2 company, unless the transportation network company could not have  
3 reasonably known of the violation.

4 (b) This chapter does not relieve a driver from complying with  
5 the applicable requirements set out in this title, including those  
6 relating to drivers' licenses, vehicle registrations, minimum  
7 insurance, rules of the road, and the penalties associated with any  
8 violation.

9 (2) Except as provided in rules adopted by the department  
10 pursuant to this chapter, chapter 18.235 RCW governs unlicensed  
11 practice, the issuance and denial of licenses, and the discipline of  
12 licensees under this chapter.

13 (3) A transportation network company must comply with the filing  
14 requirements of chapter 23B.02 RCW and the registered agent  
15 requirements of chapter 23B.05 RCW.

16 (4) Pursuant to rules adopted by the department, every  
17 transportation network company operating under this chapter must  
18 submit a quarterly report to the department, providing at a minimum  
19 the total number of drivers using its digital network or software  
20 application, the total number of prearranged rides, the total hours  
21 that drivers are logged in to its network, the total hours spent  
22 providing transportation network company services, and describing any  
23 accident in which a personal vehicle was involved while carrying a  
24 passenger.

25 (5)(a) A transportation network company may not, with respect to  
26 drivers using its digital network or software application, or drivers  
27 using the digital network or software application of another  
28 transportation network company, engage in anticompetitive behavior,  
29 including requiring drivers to agree to a noncompetition agreement.

30 (b) A transportation network company may not prohibit a driver  
31 from using a personal vehicle to provide transportation network  
32 company services using the digital network or software application of  
33 another transportation network company.

34 (c) A transportation network company may prohibit a driver's use  
35 of any brand or mark of the company in a way that is confusing to the  
36 public.

37 (6) Every transportation network company must, if achievable,  
38 make its digital network or software application accessible to  
39 persons with disabilities.

1        NEW SECTION.        **Sec. 3.**        (1)(a) Before being used to provide  
2 transportation network company services, every personal vehicle must  
3 be covered by a primary automobile insurance policy. Except as  
4 provided in subsection (2) of this section, a transportation network  
5 company must secure this policy for every personal vehicle used to  
6 provide transportation network company services. For purposes of this  
7 section, a "primary automobile insurance policy" is not a private  
8 passenger automobile insurance policy.

9        (b) The insurance policy required under this section must:

10        (i) Provide liability coverage, applicable during the period  
11 before a driver accepts a requested ride through a digital network or  
12 software application, in an amount no less than that required under  
13 RCW 46.72.050, provide comprehensive and collision coverage, and  
14 provide underinsured motorist and personal injury protection coverage  
15 of one hundred thousand dollars per person and three hundred thousand  
16 dollars per accident;

17        (ii) Provide liability coverage, applicable during the period  
18 after a driver accepts a requested ride through a digital network or  
19 software application, in an amount no less than one hundred thousand  
20 dollars per person and one million dollars per accident, provide  
21 comprehensive and collision coverage, and provide underinsured  
22 motorist and personal injury protection coverage of one hundred  
23 thousand dollars per person and one million dollars per accident; and

24        (iii) Provide coverage at all times the driver is logged in to a  
25 transportation network company's digital network or software  
26 application and at all times a passenger, as defined in this chapter,  
27 is in the vehicle.

28        (2)(a) As an alternative to the provisions of subsection (1) of  
29 this section, if the office of the insurance commissioner approves  
30 the offering of an insurance policy that recognizes that a person is  
31 acting as a transportation network company driver and using a  
32 personal vehicle to provide transportation network company services,  
33 a driver may secure a primary automobile insurance policy covering a  
34 personal vehicle and providing the same coverage as required in  
35 subsection (1) of this section.

36        (b) If a driver secures a primary automobile insurance policy  
37 covering a personal vehicle, the transportation network company must  
38 maintain an excess insurance policy covering that personal vehicle  
39 providing the same coverage as required in subsection (1) of this  
40 section.

1 (c) If the primary automobile insurance policy purchased by a  
2 driver pursuant to this section does not provide coverage for any  
3 reason, including that the policy lapsed or did not exist, the  
4 transportation network company's policy required under (b) of this  
5 subsection must provide the coverage required under this section  
6 beginning with the first dollar of a claim.

7 (3) The insurer providing coverage under subsections (1) and (2)  
8 of this section is the only insurer having the duty to defend any  
9 liability claim from an accident occurring while transportation  
10 network company services are being provided.

11 (4) In addition to the requirements in subsections (1) and (2) of  
12 this section, before allowing a person to provide transportation  
13 network company services, a transportation network company must  
14 verify that he or she is complying with the requirements of RCW  
15 46.30.020.

16 (5)(a) If a transportation network company purchases a primary  
17 automobile insurance policy under subsection (1) of this section, it  
18 must provide proof of the policy to the department.

19 (b) Alternatively, if a driver purchases a primary automobile  
20 insurance policy as allowed under subsection (2) of this section, the  
21 transportation network company must verify that the driver has done  
22 so. Additionally, the transportation network company must provide  
23 proof to the department of the excess insurance policy required under  
24 subsection (2)(b) of this section.

25 (c) Upon request from the department, drivers and transportation  
26 network companies must provide copies of the policies required under  
27 this section to the department.

28 (6) A primary automobile insurance policy required under  
29 subsection (1) or (2) of this section may be placed with an insurer  
30 licensed under Title 48 RCW to provide insurance in the state of  
31 Washington or as an eligible surplus line insurance policy as  
32 described in RCW 48.15.040.

33 (7) This section does not require a private passenger automobile  
34 insurance policy to provide coverage or a duty to defend for the  
35 period of time in which a driver is logged in to a transportation  
36 network company's digital network or software application.

37 (8) If more than one insurance policy provides valid and  
38 collectible coverage for a loss arising out of an occurrence  
39 involving a motor vehicle operated by a driver, the responsibility  
40 for the claim must be divided as follows:

1 (a) If the driver has been matched with a passenger and is  
2 traveling to pick up the passenger, or the driver is providing  
3 services to a passenger, the transportation network company that  
4 matched the driver and passenger must provide insurance coverage; or

5 (b) If the driver is logged in to more than one transportation  
6 network company digital network or software application but has not  
7 been matched with a passenger, the liability must be divided equally  
8 among all of the applicable insurance policies.

9 (9) In a claims coverage investigation, a transportation network  
10 company must cooperate with a private passenger automobile insurance  
11 policy insurer that also insures the driver's vehicle, including the  
12 provision of relevant dates and times during which an incident  
13 occurred that involved the driver while the driver was logged in to a  
14 transportation network company's digital network or software  
15 application.

16 (10) This section does not modify or abrogate any otherwise  
17 applicable insurance requirement set forth in Title 48 RCW.

18 (11) If a transportation network company's insurer makes a  
19 payment for a claim covered under comprehensive coverage or collision  
20 coverage, the transportation network company must, to the extent  
21 possible, direct the insurer to issue the payment directly to the  
22 business repairing the vehicle or jointly to the owner of the vehicle  
23 and the primary lienholder on the covered vehicle. The department may  
24 not assess any fines as a result of this subsection.

25 (12) After July 1, 2016, an insurance company regulated under  
26 Title 48 RCW may not deny an otherwise covered claim arising  
27 exclusively out of the personal use of the private passenger  
28 automobile solely on the basis that the insured, at other times, used  
29 the private passenger automobile covered by the policy to provide  
30 transportation network company services.

31 (13) The office of the insurance commissioner must track data  
32 regarding the levels of coverage provided in subsection (1) of this  
33 section. Beginning January 1, 2016, and annually thereafter, the  
34 office of the insurance commissioner must provide its findings to the  
35 transportation committees of the legislature.

36 (14) A city, county, political subdivision, or special purpose  
37 district may not:

38 (a) Adopt a law, rule, or ordinance that is in conflict with this  
39 chapter;

1 (b) Require a transportation network company to obtain any  
2 additional approval, such as a permit or license, before operating  
3 within the jurisdiction. However, this subsection (14)(b) does not  
4 apply to standard business licenses and the levying of business-  
5 related taxes at the local level; or

6 (c) Prohibit the provision of transportation network company  
7 services or the use of such services within the jurisdiction.

8 NEW SECTION. **Sec. 4.** (1) The following requirements apply to  
9 the provision of services:

10 (a) A driver may not provide services unless a transportation  
11 network company has matched the driver to a passenger through a  
12 digital network or software application. A driver may not solicit or  
13 accept the on-demand summoning of a ride.

14 (b) A transportation network company must make available to  
15 prospective passengers and drivers the method by which the  
16 transportation network company calculates fares or the applicable  
17 rates being charged and an option to receive an estimated fare.

18 (c) Upon completion of a prearranged ride, a transportation  
19 network company must transmit to the passenger an electronic receipt,  
20 either by electronic mail or by text message, which must document:

21 (i) The point of origin and destination of the passenger's trip;  
22 (ii) The total duration and distance of the passenger's trip;  
23 (iii) The total fare paid, including the base fare and any  
24 additional charges incurred or distance traveled or duration of the  
25 passenger's trip; and

26 (iv) The driver's first name and license plate number.

27 (d) Before permitting a person to act as a driver on its digital  
28 network or software application, a transportation network company  
29 must confirm that the person is at least twenty-one years of age and  
30 possesses:

31 (i) A valid driver's license;  
32 (ii) Proof of private passenger automobile insurance;  
33 (iii) Proof that the vehicle is registered in Washington; and  
34 (iv) Within ninety days of the effective date of this section and  
35 pursuant to rules adopted by the department, proof that the person  
36 has certified that he or she does not experience any condition that  
37 interferes with his or her ability to safely provide services  
38 pursuant to this chapter.

1 (e) A driver may not provide transportation network company  
2 services for more than twelve consecutive hours or more than twelve  
3 hours in any twenty-four hour period, except that a driver may finish  
4 a prearranged ride that began before either time restriction.

5 (f) A transportation network company must implement an  
6 intoxicating substance policy for drivers that disallows any amount  
7 of intoxication of the driver while providing services. The  
8 transportation network company must include on its web site and  
9 mobile device application software a notice concerning the  
10 transportation network company's intoxicating substance policy.

11 (g)(i) Prior to providing transportation network company  
12 services, a transportation network company must require every  
13 personal vehicle to undergo a uniform vehicle safety inspection,  
14 approved by the department, and performed by an approved mechanic who  
15 must certify in writing that the vehicle is mechanically sound and  
16 fit for driving. The approved mechanic must also certify in writing  
17 that the plates, decals, and customer notices required under this  
18 chapter are legible and properly displayed.

19 (ii) The safety inspection required under this subsection (1)(g)  
20 must be conducted annually while the personal vehicle is being used  
21 to provide transportation network company services.

22 (h) A personal vehicle must have at least four doors and be  
23 designed to carry no more than eight passengers, including the  
24 driver.

25 (i)(i) A transportation network company must make the following  
26 disclosures to a prospective driver in the prospective driver's terms  
27 of service:

28 WHILE OPERATING ON THE TRANSPORTATION NETWORK COMPANY'S DIGITAL  
29 NETWORK OR SOFTWARE APPLICATION, YOUR PRIVATE PASSENGER AUTOMOBILE  
30 INSURANCE POLICY MIGHT NOT AFFORD LIABILITY, UNDERINSURED MOTORIST,  
31 PERSONAL INJURY PROTECTION, COMPREHENSIVE OR COLLISION COVERAGE,  
32 DEPENDING ON THE TERMS OF THE POLICY.

33 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION  
34 NETWORK COMPANY SERVICES FOR OUR TRANSPORTATION NETWORK COMPANY HAS A  
35 LIEN AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE  
36 USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES THAT  
37 MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

38 (ii) The prospective driver must acknowledge the terms of service  
39 electronically or by signature.



1 (j) A transportation network company must make available to a  
2 passenger a customer support telephone number on its digital network,  
3 software application, or web site for passenger inquiries.

4 (k)(i) A transportation network company may not disclose to a  
5 third party any personally identifiable information concerning the  
6 user of the transportation network company's digital network or  
7 software application, unless:

8 (A) The transportation network company obtains the user's consent  
9 to disclose personally identifiable information;

10 (B) Disclosure is necessary to comply with a legal obligation; or

11 (C) Disclosure is necessary to protect or defend the terms and  
12 conditions for use of the service or to investigate violations of the  
13 terms and conditions.

14 (ii) The limitation on disclosure does not apply to the  
15 disclosure of aggregated user data.

16 (iii) The department may revoke a transportation network  
17 company's permit upon the department's finding that the company  
18 knowingly or negligently violated the passenger privacy provisions of  
19 this subsection (1)(k).

20 (2) Each transportation network company must require that each  
21 personal vehicle providing transportation network company services  
22 display a plainly visible exterior marking that identifies the  
23 personal vehicle as one providing such services.

24 (3) A transportation network company or a third party must retain  
25 inspection records for at least fourteen months after an inspection  
26 was conducted for each personal vehicle used by a driver.

27 (4)(a)(i) Before a person is permitted to act as a driver through  
28 use of a transportation network company's digital network or software  
29 application, the person must undergo a criminal history record check.  
30 A driver must undergo a criminal history record check every five  
31 years while serving as a driver.

32 (ii) The criminal history record checks required under this  
33 section may be administered by the driver, who must provide a copy to  
34 the transportation network company, or the record checks may be  
35 administered by the transportation network company.

36 (b) A person who has been convicted of driving under the  
37 influence of drugs or alcohol in the previous five years before  
38 applying to become a driver may not serve as a driver.

1 (c)(i) If the criminal history record check reveals that the  
2 person has ever been convicted of the following felony offenses, the  
3 person may not serve as a driver:

4 (A) An offense involving fraud, as described in chapters 9.45 and  
5 9A.60 RCW;

6 (B) A sex offense, as described in chapters 9.68A and 9A.44 RCW;

7 (C) Burglary, trespass, or vehicle prowling, as described in  
8 chapter 9A.52 RCW;

9 (D) Theft, robbery, extortion, or possession of stolen property,  
10 as described in chapter 9A.56 RCW;

11 (E) A violent offense, as defined in RCW 9.94A.030.

12 (ii) A person who has been convicted of a comparable offense to  
13 the offenses listed in (c)(i) of this subsection in another state may  
14 not serve as a driver.

15 (iii) A transportation network company or a third party must  
16 retain the results of a criminal history record check for each driver  
17 that provides services for the transportation network company until  
18 five years after the criminal history record check was conducted, or  
19 until the acquisition of an updated background check, whichever comes  
20 earlier.

21 (5)(a) Before permitting an individual to act as a driver on its  
22 digital network or software application, a transportation network  
23 company must obtain and review the individual's driving record.

24 (b) An individual with the following violations may not serve as  
25 a driver:

26 (i) More than three moving violations within the three-year  
27 period preceding the individual's application to serve as a driver;  
28 or

29 (ii) A violation for reckless driving under RCW 46.61.500;  
30 vehicular homicide under RCW 46.61.520; vehicular assault under RCW  
31 46.61.522; negligent driving in the first or second degree under RCW  
32 46.61.5249, 46.61.525, or 46.61.526; driving without a license under  
33 RCW 46.20.005; or driving with a revoked license under RCW 46.20.342  
34 or 46.20.345.

35 (c) A transportation network company or a third party must retain  
36 the driving record for each driver that provides services for the  
37 transportation network company for at least three years.

38 (6) If any person files a complaint with the department against a  
39 transportation network company or driver, the department may inspect

1 the transportation network company's records as reasonably necessary  
2 to investigate and resolve the complaint.

3 (7) Vehicle safety inspections and criminal history record checks  
4 required under this section and retained by a transportation network  
5 company are not subject to inspection by the department, including as  
6 part of any quarterly report required under section 2(4) of this act,  
7 except pursuant to departmental audit.

8 (8)(a) Except for a trip whose destination is more than forty  
9 miles from where the passenger is picked up, a transportation network  
10 company and transportation network company drivers must provide  
11 services to the public in a nondiscriminatory manner, regardless of  
12 geographic location of the departure point or destination. A  
13 transportation network company or transportation network company  
14 driver may not refuse service or impose additional charges or  
15 conditions based on a passenger's race, religion, ethnicity, gender,  
16 sexual orientation, gender identity, or disability that could prevent  
17 customers from accessing transportation. A driver may not refuse to  
18 transport a passenger, unless:

19 (i) The passenger is acting in an unlawful, disorderly, or  
20 endangering manner; or

21 (ii) The passenger is unable to care for himself or herself and  
22 is not in the charge of a responsible companion.

23 (b) A driver must permit a service animal to accompany a  
24 passenger on a prearranged ride.

25 (c)(i) If a passenger with physical or mental disabilities  
26 requires the use of mobility equipment, a driver must store such  
27 equipment in the vehicle during a prearranged ride, if the vehicle is  
28 reasonably capable of doing so. If the driver is unable to store a  
29 passenger's mobility equipment in the driver's vehicle, the driver  
30 must refer the passenger to another driver or transportation service  
31 with a vehicle that is equipped to accommodate such equipment, and  
32 may not charge the passenger a cancellation fee.

33 (ii) If a passenger is traveling with a child who requires the  
34 use of a child restraint system under RCW 46.61.687, a driver must  
35 allow the passenger to temporarily install the restraint system in  
36 the personal vehicle, if the vehicle is reasonably capable of  
37 accepting it. If the child restraint system is unable to be  
38 temporarily installed in the vehicle, the driver must refer the  
39 passenger to another driver or transportation service with a vehicle

1 that is equipped to accommodate such a system, and may not charge the  
2 passenger a cancellation fee.

3 (9) Within ten days of receiving a complaint about a driver's  
4 alleged violation of subsection (8) of this section, the department  
5 must report the complaint to the transportation network company for  
6 which the driver provides services.

7 (10) A driver must immediately report to the transportation  
8 network company any refusal to transport a passenger pursuant to  
9 subsection (8)(a) of this section, and the transportation network  
10 company must annually report all such refusals to the department in a  
11 form and manner determined by the department.

12 NEW SECTION. **Sec. 5.** (1) A transportation network company may  
13 not operate without first having obtained a permit from the  
14 department. The department must require this permit to be renewed  
15 annually.

16 (2) The department must issue a permit to each transportation  
17 network company that meets the requirements of this chapter and pays  
18 to the department the fees required under subsection (3) of this  
19 section. The department may adjust the annual permit fee by rule to  
20 recover the department's direct and indirect costs associated with  
21 implementing this chapter, as well as the costs of implementing this  
22 chapter borne by the office of the insurance commissioner.

23 (3)(a) A transportation network company must pay the following  
24 fee to the department at the time of its initial application for a  
25 permit:

26 (i) Until July 1, 2016, the fee is one hundred thousand dollars;  
27 and

28 (ii) After July 1, 2016, the fee is five thousand dollars.

29 (b) Upon the annual renewal of a permit issued pursuant to this  
30 section, a transportation network company must pay the following  
31 applicable renewal fee, depending on the number of drivers shown in  
32 the transportation network company's most recent quarterly report  
33 sent to the department pursuant to section 2(4) of this act:

34 (i) For transportation network companies with ten or fewer  
35 drivers, the annual renewal fee is five thousand dollars;

36 (ii) For transportation network companies with more than ten but  
37 fewer than one hundred drivers, the annual renewal fee is twenty  
38 thousand dollars;

1 (iii) For transportation network companies with more than one  
2 hundred but fewer than one thousand drivers, the annual renewal fee  
3 is fifty thousand dollars; and

4 (iv) For transportation network companies with more than one  
5 thousand drivers, the annual renewal fee is one hundred thousand  
6 dollars.

7 (4) The department must determine the form and manner of the  
8 application for a transportation network company permit.

9 (5) Consistent with section 2(1)(a) of this act, the department  
10 may cancel, revoke, or suspend any permit issued under this chapter  
11 on any of the following grounds:

12 (a) The violation of any of the provisions of this chapter;

13 (b) The violation of an order, decision, rule, or requirement  
14 established by the department under this chapter;

15 (c) Failure of the transportation network company to pay a fee  
16 imposed on the company within the time required under law; or

17 (d) Failure of the transportation network company to maintain  
18 insurance coverage, if required under this chapter.

19 (6) The department may deny an application under this chapter, or  
20 refuse to renew the permit of a transportation network company, based  
21 on a determination that the transportation network company has not  
22 satisfied a civil penalty arising out of an administrative or  
23 enforcement action brought by the department.

24 NEW SECTION. **Sec. 6.** The transportation network company account  
25 is created in the custody of the state treasurer. All moneys received  
26 by the department pursuant to this chapter, and any interest earned  
27 on investments in the account, must be deposited into the account.  
28 Expenditures from the account may be used by the department for any  
29 purpose related to the regulation of transportation network companies  
30 that is consistent with this chapter, including, at a minimum,  
31 disbursements to (1) local governments to cover enforcement costs and  
32 (2) the office of the insurance commissioner to cover its costs  
33 incurred under section 3(13) of this act. Only the director or the  
34 director's designee may authorize expenditures from the account. The  
35 account is subject to allotment procedures under chapter 43.88 RCW,  
36 but an appropriation is not required for expenditures.

37 NEW SECTION. **Sec. 7.** (1) The department may adopt rules to  
38 implement this chapter, including rules concerning administration,

1 fees, fines and penalties, safety requirements, and the disbursement  
2 of funds for local enforcement as described in section 6(1) of this  
3 act.

4 (2) The department must adopt rules requiring a transportation  
5 network company to file with the department evidence of the  
6 transportation network company's insurance policies required under  
7 this chapter and proof of continued validity of these policies.

8 NEW SECTION. **Sec. 8.** All personally identifiable information  
9 collected under this chapter is exempt from disclosure under chapter  
10 42.56 RCW.

11 **Sec. 9.** RCW 51.12.183 and 2011 c 190 s 2 are each amended to  
12 read as follows:

13 (1) Any business that owns and operates a for hire vehicle  
14 licensed under chapter 46.72 RCW, a limousine under chapter 46.72A  
15 RCW, or a taxicab under chapter 81.72 RCW and the for hire operator  
16 or chauffeur of such vehicle is within the mandatory coverage of this  
17 title.

18 (2) Any business that as owner or agent leases a for hire vehicle  
19 licensed under chapter 46.72 RCW, a limousine under chapter 46.72A  
20 RCW, or a taxicab under chapter 81.72 RCW to a for hire operator or a  
21 chauffeur and the for hire operator or chauffeur of such vehicle is  
22 within the mandatory coverage of this title.

23 (3) For the purposes of this section, the following definitions  
24 apply unless the context clearly requires otherwise:

25 (a) "Chauffeur" has the same meaning as provided in RCW  
26 46.04.115; and

27 (b) "For hire operator" means a person who is operating a vehicle  
28 for the purpose of carrying persons for compensation.

29 (4) This section does not apply to transportation network  
30 companies or drivers providing transportation network company  
31 services.

32 NEW SECTION. **Sec. 10.** If any provision of this act or its  
33 application to any person or circumstance is held invalid, the  
34 remainder of the act or the application of the provision to other  
35 persons or circumstances is not affected.

1        NEW SECTION.    **Sec. 11.**    Sections 1 through 8 of this act  
2    constitute a new chapter in Title 46 RCW.

--- END ---