

STATE OF NEW YORK

9328

IN ASSEMBLY

February 29, 2024

Introduced by M. of A. FALL -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to requiring that transportation network companies provide TNC drivers with certain notices upon deactivation or suspension

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The labor law is amended by adding a new section 219-e, to
2 read as follows:

3 § 219-e. Deactivation and suspension of transportation network company
4 drivers. 1. For the purposes of this section, the following terms shall
5 have the following meanings:

6 (a) "Transportation network company" or "TNC" shall have the same
7 meaning as defined by section sixteen hundred ninety-one of the vehicle
8 and traffic law.

9 (b) "Transportation network company driver" or "TNC driver" shall have
10 the same meaning as defined by section sixteen hundred ninety-one of the
11 vehicle and traffic law.

12 (c) "TNC prearranged trip" or "trip" shall have the same meaning as
13 defined by section sixteen hundred ninety-one of the vehicle and traffic
14 law.

15 (d) "Digital network" shall have the same meaning as defined by
16 section sixteen hundred ninety-one of the vehicle and traffic law.

17 (e) "Deactivate" or "deactivation" means the blocking of a TNC driv-
18 er's access to a TNC's digital network, prohibiting a TNC driver from
19 accepting any future TNC trips for such TNC, or other material
20 restriction of a TNC driver's access to such TNC's digital network. The
21 term "deactivation" shall not include a temporary suspension lasting
22 less than forty-eight hours.

23 2. A TNC shall provide each TNC driver subject to a deactivation or
24 suspension with a notice of such deactivation or suspension no later
25 than thirty days following such deactivation or suspension. Such notice
26 shall include:

27 (a) the cause of such deactivation or suspension; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD14647-02-4

1 (b) a description of the steps by which such TNC driver may remedy
2 such deactivation or suspension.

3 3. (a) Any TNC that fails to provide notice in compliance with the
4 provisions of this section shall be in violation of this section. Each
5 failure to provide notice shall constitute a separate and distinct
6 violation.

7 (b) The department shall assess a penalty of twenty-five hundred
8 dollars for each violation of this section.

9 4. The department is authorized to promulgate any rules and/or regu-
10 lations necessary to effectuate the provisions of this section.

11 § 2. This act shall take effect on the ninetieth day after it shall
12 have become a law. Effective immediately, the addition, amendment
13 and/or repeal of any rule or regulation necessary for the implementation
14 of this act on its effective date are authorized to be made and
15 completed on or before such effective date.