

BIHZ Item #2
Transportation rideshare worker protections ordinance
Motion by Wonsley, Osman, and Chavez

Wonsley, Osman, and Chavez move to amend Section 343.125(g)(2) of the proposed ordinance, to read as follows:

343.125. Transportation network company driver rights.

(g) *Deactivation* means the suspension or termination of a driver's ability to receive connections to potential riders from a TNC.

(2) *Deactivation notice and procedures.* The deactivation notice and process provided by this section must occur prior to any deactivation being applied except that a TNC may temporarily deactivate a driver for a major infraction that endangers public safety. In such instances, if the violation is not substantiated, the TNC must immediately reinstate the driver.

a. A TNC must provide to the driver a notice of proposed deactivation which includes:

1. The written basis for any proposed deactivation or other sanction at least five (5) days before the deactivation occurs.
2. The alleged infraction and the rule or rules the TNC alleges have been violated.
3. The right for a driver to request a meeting with the TNC, and to have a representative present to advocate for the driver, in order to reconsider the deactivation.
4. The opportunity for the driver and any representative of the driver to present their position and any other relevant information or witnesses regarding the alleged rule violation.

b. The TNC must consider any information presented by the driver. For a deactivation to be upheld, there must be evidence under the totality of the circumstances to find that it is more likely than not that a rule violation subjecting the driver to deactivation has occurred. A traffic ticket or other traffic or criminal charge alone is not conclusive of a rule violation unless there has been a conviction.