

To: House Committee on Commerce and Economic Development
From: Youness Jamil, President of **Cabbies for Economic and Social Justice**
Date: Tuesday, April 24, 2018
Re: House Bill 143

Dear Committee Members,

Thank you for your recent changes which help confirm your intent in creating this bill is to include TNC's of all shapes and sizes. I wish the bill could clearly cover all drivers across all towns, but if it must pass, I am happy to see it becoming more inclusive.

I operate a solely owned driver for hire company, primarily in the Burlington area. I am also proud to say that I am President of the new nonprofit, **Cabbies for Economic and Social Justice (CESJ)** (AKA The Driver for Hire Fund). I am also a Director along with Nicholas Schieldrop, a Vermont Driver; and Louis Tijerina, a policy expert. As President, and in my individual capacity, I would like to share some thoughts with you on the pending bill.

Statewide Study: CESJ & Passenger Focus

First, I would respectfully request that **Cabbies for Economic and Social Justice** be listed as a party to consult as part of the statewide study in H.143. It is a new entity, but it is garnering the interest of more and more drivers each day. Drivers are a difficult breed to organize—especially in times of long hours and low wages. But we are successfully gathering opinions about where the industry should go, and in whatever we do, we strive to include the perspectives of all drivers, rural, urban and otherwise. Having CESJ named in the Bill would further help establish us as an authority, and we would be sure to demonstrate to the Department of Financial Regulation that we are bringing a representative perspective.

I also think the State should be thinking about how to protect drivers from passengers, and not just the other way around. I used to drive for a TNC and was once assaulted by two passengers while doing so. The passengers fled, the police were unable to assist, and the TNC was uncooperative in assisting in criminal relief or in compensation. Just like driving, using public transportation is a privilege. We need to begin thinking about what we can do on a statewide basis, beyond inadequate criminal laws, to deter disruptive passenger conduct.

TNC & Driver Registration & Inspection: Secretary of State v. DMV

A simple TNC registration process with the DMV with basic business information would help clarify that only the state handles registration, and it would keep the DMV informed. The North American Industry Classification System (“NAICS”) codes used by Secretary of State are insufficient to create proper notice. NAICS does not include TNCs as an option, and **NAICS codes won't be updated again until 2022**. Registration of companies and drivers with the DMV would also help resolve inspection issues set out below.

It seems that larger TNCs got off light with records inspections as they **only need to produce 25 records in most cases**. Furthermore, how will that randomization process work? If the TNC has to complete a DMV registration, and **the TNC has to ensure that the DMV has an updated list of drivers**, then the DMV can select a random sample on its own.

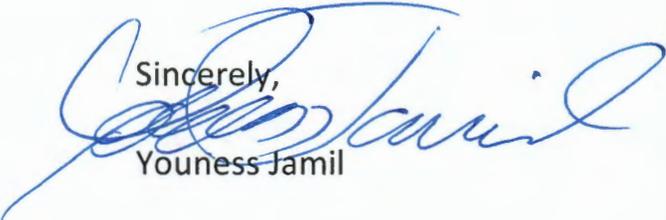
Preemption Clarity

I remain concerned that municipalities may continue to seek to impose licensing requirements if H.143 is passed. There is not an express licensing or permitting mechanism in the bill which would clearly preempt local laws. Municipalities may reasonably want continued ability to regulate inherently local activity, such as use of municipal queue lines or taxi stands (use of municipal property). Anything else should remain clearly with the state.

Unfortunately, this bill allows Burlington to *still* license and regulate. This should be strongly reconsidered as well. *At a minimum*, subsection (b) of the preemption clause should say something to the effect of “such municipalities shall have no regulatory authority over contracts which originated outside of the municipality.”

Thank you for your consideration of my comments. I look forward to working with you in the years to come on a sustainable transportation industry that keeps the economy moving.

Sincerely,


Youness Jamil