

AMENDMENTS TO LB629

(Amendments to Standing Committee amendments, AM1075)

Introduced by Mello, 5.

1           1. Strike section 11 and insert the following new section:

2           Sec. 11. (1) Prior to permitting a person to act as a driver, a  
3 transportation network company shall disclose in writing to each  
4 participating driver:

5           (a) The insurance coverage, the limits of liability, and any  
6 deductible amounts that the transportation network company maintains  
7 while the driver uses a personal vehicle in connection with a  
8 transportation network company's online-enabled application or platform;

9           (b) That in many personal automobile insurance policies, the  
10 driver's policy does not provide coverage for damage to the vehicle used  
11 by the driver, uninsured and underinsured motorist coverage, and other  
12 first-party claims from the moment the driver logs on to the  
13 transportation network company's online-enabled application or platform  
14 to the moment the driver logs off the transportation network company's  
15 online-enabled application or platform. The driver should contact his or  
16 her insurer to determine coverage;

17           (c) That if the driver is planning to use a vehicle that has a lien  
18 against it to provide service in connection with a transportation network  
19 company, the driver of the vehicle must notify the lienholder at least  
20 seven days prior to using the vehicle to provide such service that the  
21 driver intends to use the vehicle to provide service in connection with a  
22 transportation network company by complying with subsection (3) of this  
23 section; and

24           (d) That the driver is responsible to know the laws, rules, and  
25 regulations that govern the service he or she provides in connection with  
26 a transportation network company.

1           (2) The transportation network company shall make the disclosure  
2 required by subdivision (1)(c) of this section a distinctive part of the  
3 driver's terms of service and shall require a separate acknowledgment of  
4 this disclosure by each driver by electronic or handwritten signature.

5           (3) The commission shall adopt and promulgate rules and regulations  
6 to establish a procedure to confirm that drivers have notified  
7 lienholders as required by subdivision (1)(c) of this section. The  
8 commission shall keep a record of such confirmation for at least five  
9 years and shall make such record available to lienholders.

10           2. On page 3, line 9, strike "uses" and insert "owns, leases, or is  
11 otherwise authorized to use"; and in line 14 after "hail" insert ".  
12 Prearranged ride does not include shared-expense carpool or vanpool  
13 arrangements".

14           3. On page 11, line 14, after "commission" insert "except when  
15 publicly disclosed as evidence in a civil penalty proceeding pursuant to  
16 section 75-156 or in a criminal proceeding prosecuted by the state".

17           4. On page 12, line 15, strike "A" and insert "Beginning on  
18 September 1, 2015, a"; and in lines 20 and 21 strike "five hundred  
19 thousand" and insert "one million".

20           5. On page 13, line 8, strike "The" and insert "Beginning on  
21 September 1, 2015, the".

22           6. On page 14, strike beginning with the comma in line 20 through  
23 "payment" in line 27 and insert "and if such personal vehicle is subject  
24 to a lien, the transportation network company insurance carrier shall  
25 make payment for a claim covered under collision physical damage coverage  
26 or comprehensive physical damage coverage".

27           7. On page 15, line 2, after the first "coverage" insert "for  
28 transportation network company activity".

29           8. On page 22, line 19, strike "twenty" and insert "twenty-five".