

State of Minnesota

H. F. No. **3002**

1.1 A bill for an act

1.2 relating to transportation; requiring transportation network companies to make

1.3 vehicles wheelchair accessible; requiring nondiscrimination policies; establishing

1.4 the wheelchair accessible vehicle services account; appropriating money; amending

1.5 Minnesota Statutes 2018, section 221.091, subdivision 2; proposing coding for

1.6 new law in Minnesota Statutes, chapter 221.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[221.0311] TRANSPORTATION NETWORK COMPANY**

1.9 **ACCESSIBILITY.**

1.10 Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in section

1.11 65B.472, subdivision 1, apply.

1.12 (b) "Wheelchair accessible vehicle" means a vehicle equipped with a ramp or lift capable

1.13 of transporting nonfolding motorized wheelchairs, mobility scooters, or other mobility

1.14 devices.

1.15 Subd. 2. **Wheelchair accessibility surcharge; fleet fee.** (a) Transportation network

1.16 companies must pay a 15-cent surcharge per ride that is not accessible to wheelchair users

1.17 originating in Minnesota to the commissioner of transportation. The surcharge must be paid

1.18 monthly.

1.19 (b) The commissioner shall deposit all surcharges and fees collected under this

1.20 subdivision into the wheelchair accessible vehicle services account established under section

1.21 221.0312.

1.22 Subd. 3. **Digital network accessibility.** A transportation network company's digital

1.23 network must be accessible to individuals with disabilities by January 1, 2021.

2.1 Subd. 4. **Equity data report.** (a) By October 1 each year, all transportation network
2.2 companies must report to the commissioner and the Minnesota Council on Disability about
2.3 the accessibility of services provided in the previous year to individuals with disabilities in
2.4 each community served. At a minimum, the report must include the:

2.5 (1) estimated time of arrival for wheelchair accessible vehicles;

2.6 (2) total number of wheelchair accessible vehicles requested;

2.7 (3) total number of rides fulfilled in wheelchair accessible vehicles;

2.8 (4) total number of wheelchair accessible rides that were denied;

2.9 (5) total number of requested wheelchair accessible rides that were referred to a third
2.10 party; and

2.11 (6) programs and best practices the transportation network company has implemented
2.12 to improve the accessibility of service to individuals with disabilities.

2.13 (b) All data required in the report must be capable of aggregation by city so that useful
2.14 comparisons can be made.

2.15 (c) Upon review of the report, if the commissioner concludes that transportation network
2.16 companies are not collectively having a positive impact on services provided to individuals
2.17 with disabilities, the commissioner may impose a fine up to \$15,000 on each transportation
2.18 network company.

2.19 Subd. 5. **Nondiscrimination policy.** All transportation network companies must adopt
2.20 a nondiscrimination policy that is available on a publicly accessible website. The website
2.21 must provide notice of the policy and procedures to report a complaint to the Department
2.22 of Human Rights about a driver's alleged violation of the policy. The policy must include
2.23 the following:

2.24 (1) the transportation network company must take reasonable steps to ensure services
2.25 provided by drivers using the digital network are offered in a nondiscriminatory manner;

2.26 (2) the transportation network company must not unlawfully discriminate against a
2.27 prospective passenger or unlawfully refuse to provide service to a protected class of
2.28 passengers or certain localities;

2.29 (3) meaningful penalties, such as lost tips, reduced hours, suspension, or termination,
2.30 for drivers who deny services to a prospective passenger due to the passenger belonging to
2.31 a protected class;

2.32 (4) drivers must not refuse services to a prospective passenger with a service animal;

3.1 (5) the transportation network company must not charge an individual with a disability
3.2 an additional fee, including for the transport of a service animal, because of the individual's
3.3 disabilities;

3.4 (6) the transportation network company must provide on its digital network a way for
3.5 passengers with disabilities to request a wheelchair accessible vehicle;

3.6 (7) the transportation network company must facilitate transportation for passengers
3.7 requiring a wheelchair accessible vehicle by:

3.8 (i) connecting the passenger to a driver of a wheelchair accessible vehicle in the network;
3.9 or

3.10 (ii) directing the passenger to an alternate provider with the authority and ability to
3.11 dispatch a wheelchair accessible vehicle;

3.12 (8) if a passenger with a disability requires the use of a wheelchair, assistive technology,
3.13 or other mobility device, the driver must store and transport the equipment if reasonably
3.14 able to. If the driver is unable to reasonably store and transport the equipment, the driver
3.15 must refer the passenger to another driver or service provider with a vehicle able to
3.16 accommodate the equipment;

3.17 (9) drivers must allow wheelchair users the choice to independently transfer from their
3.18 wheelchairs to the wheelchair accessible vehicle if they are able to do so;

3.19 (10) when a ride is requested over the digital network, the total fare, fare range, or rate
3.20 by distance or time must be displayed before the ride is confirmed. Any variables that may
3.21 result in higher rates or fares, including tips, wait time, demand pricing, or any other
3.22 surcharges or fees must also be displayed;

3.23 (11) passengers may opt out of being rated by the driver;

3.24 (12) the transportation network company must not charge a fee if a passenger cancels a
3.25 ride because the vehicle is unsuitable for the passenger's disability needs;

3.26 (13) the transportation network company must not charge an additional fee for a personal
3.27 companion, orderly, or any other care assistant accompanying a passenger with a disability
3.28 on a ride;

3.29 (14) the transportation network company must not impose a minimum charge when a
3.30 driver is unable to locate a passenger; and

3.31 (15) the transportation network company must allow a passenger to contact a driver over
3.32 the digital network or telephone after a ride is confirmed.

4.1 Sec. 2. **[221.0312] WHEELCHAIR ACCESSIBLE VEHICLE SERVICES ACCOUNT;**
4.2 **GRANTS.**

4.3 Subdivision 1. **Wheelchair accessible vehicle services account established.** A
4.4 wheelchair accessible vehicle services account is created in the special revenue fund. The
4.5 account consists of money allotted, appropriated, or transferred to the account. Money in
4.6 the account is appropriated to the commissioner of transportation and distributed as provided
4.7 in subdivision 4.

4.8 Subd. 2. **Minimum collections.** The commissioner must collect a minimum of \$850,000
4.9 per year from transportation network companies and taxicab companies under section
4.10 221.0311, subdivision 2, for the wheelchair accessible vehicle services account. If the
4.11 collections are insufficient, the deficiency amount required to reach the minimum collection
4.12 threshold is annually transferred from the general fund to the wheelchair accessible vehicle
4.13 services account.

4.14 Subd. 3. **Grant eligibility.** (a) A taxicab company that maintains at least ten percent of
4.15 its active fleet as wheelchair accessible vehicles or an independent contractor of a
4.16 transportation network company who provides a service record of at least six months with
4.17 that company is eligible for grants under subdivision 4. A grant under subdivision 4 may
4.18 be used to meet the ten percent threshold.

4.19 (b) Operators of vehicles and grantees must complete hours of disability training
4.20 to be eligible to receive grants under subdivision 4.

4.21 (c) Drivers of leased vehicles are not eligible for grants related to the cost and
4.22 maintenance of a wheelchair accessible vehicle.

4.23 (d) For purposes of this subdivision, "active fleet" means the total number of vehicles
4.24 registered with the transportation network company or taxicab company capable of providing
4.25 rides.

4.26 Subd. 4. **Grants.** The commissioner of transportation shall award grants using the funds
4.27 in the wheelchair accessible vehicle services account to taxicab companies or independent
4.28 contractors of transportation network companies:

4.29 (1) to purchase wheelchair accessible vehicles or modify existing vehicles so they are
4.30 accessible, up to \$7,500 per purchased or modified vehicle;

4.31 (2) for maintenance or equipment expenses related to ramps, axles, brakes, or
4.32 transmissions on wheelchair accessible vehicles in their fleet, up to \$3,500 per vehicle;

4.33 (3) for drivers who provide wheelchair accessible rides, up to \$20 per ride fulfilled; and

5.1 (4) for drivers who provide wheelchair accessible rides for a shift exceeding four hours,
5.2 up to \$15 per shift.

5.3 Sec. 3. Minnesota Statutes 2018, section 221.091, subdivision 2, is amended to read:

5.4 Subd. 2. **Small vehicle passenger service.** (a) A statutory or home rule charter city that
5.5 licenses and regulates small vehicle passenger service must do so by ordinance. The ordinance
5.6 must, at a minimum, provide for driver qualifications, insurance, vehicle safety, and periodic
5.7 vehicle inspections.

5.8 (b) A statutory or home rule charter city may waive any license fees of a transportation
5.9 network company or taxicab company that maintains ten percent of its active fleet as
5.10 wheelchair accessible vehicles. For purposes of this paragraph, a "transportation network
5.11 company" has the meaning given in section 65B.472, subdivision 1.

5.12 ~~(b)~~ (c) A statutory or home rule charter city that has adopted an ordinance complying
5.13 with this subdivision may enforce the registration requirement in section 221.021.

5.14 ~~(e)~~ (d) A statutory or home rule charter city that regulates, by ordinance, pedicabs,
5.15 rickshaws, or other similar vehicles used for passenger service may permit authorized
5.16 vehicles to be equipped with an electric motor that meets the requirements for an
5.17 electric-assisted bicycle under section 169.011, subdivision 27, clause (3).