

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 631, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Quinn

Quinn-JD-FS-Req#1607
3/13/2017 4:36 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 631

By: Quinn of the Senate

and

6 Echols of the House

7
8
9 FLOOR SUBSTITUTE

10 [transportation network companies - transportation
11 network drivers - certain trade dress - certain
12 online status - effective date]
13

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY Section 7, Chapter 279, O.S.L.
16 2015 (47 O.S. Supp. 2016, Section 1016), is amended to read as
17 follows:

18 Section 1016. A transportation network company's software
19 application or website shall display a picture of the TNC driver and
20 the license plate number of the motor vehicle utilized for providing
21 the prearranged ride before the passenger enters the TNC driver's
22 vehicle. A TNC that voluntarily elects to require TNC drivers to
23 display the TNC company emblem or logo while in operation to
24 identify the TNC vehicle and driver shall not in any way alter the

1 contractual relationship between the parties or create an
2 employer/employee relationship where one was not intended to exist
3 by the parties.

4 SECTION 2. AMENDATORY Section 16, Chapter 279, O.S.L.
5 2015 (47 O.S. Supp. 2016, Section 1025), is amended to read as
6 follows:

7 Section 1025. A. On or before July 1, 2015, and thereafter, a
8 transportation network company driver or TNC on the TNC driver's
9 behalf shall maintain primary automobile insurance that recognizes
10 that the driver is a TNC driver or otherwise uses a vehicle to
11 transport passengers for compensation and covers the driver:

12 1. While the driver is both logged on to and available to
13 receive transportation requests on the TNC's digital network; or

14 2. While the driver is engaged in providing prearranged rides.

15 B. The following automobile insurance requirements shall apply
16 while a TNC driver is both logged on to the TNC's digital network
17 and ~~is~~ available to receive transportation requests but is not
18 engaged in prearranged rides:

19 1. Primary automobile liability insurance in the amount of at
20 least Fifty Thousand Dollars (\$50,000.00) for death and bodily
21 injury per person, One Hundred Thousand Dollars (\$100,000.00) for
22 death and bodily injury per incident, and Twenty-five Thousand
23 Dollars (\$25,000.00) for property damage;

1 2. Uninsured motorist coverage where not waived pursuant to
2 Section 3636 of Title 36 of the Oklahoma Statutes; and

3 3. The coverage requirements of this subsection may be
4 satisfied by any of the following:

- 5 a. automobile insurance maintained by the TNC driver,
- 6 b. automobile insurance maintained by the TNC, or
- 7 c. any combination of subparagraphs a and b of this
- 8 paragraph.

9 C. The following automobile insurance requirements shall apply
10 while a TNC driver is engaged in a prearranged ride:

11 1. Primary automobile liability insurance that provides at
12 least One Million Dollars (\$1,000,000.00) for death, bodily injury,
13 and property damage;

14 2. Uninsured motorist coverage where not waived pursuant to
15 Section 3636 of Title 36 of the Oklahoma Statutes; and

16 3. The coverage requirements of this subsection may be
17 satisfied by any of the following:

- 18 a. automobile insurance maintained by the TNC driver,
- 19 b. automobile insurance maintained by the TNC, or
- 20 c. any combination of subparagraphs a and b of this
- 21 paragraph.

22 D. If insurance maintained by a TNC driver in subsection B or C
23 of this section has lapsed or does not provide the required
24 coverage, insurance maintained by a TNC shall provide the coverage

1 required by this section beginning with the first dollar of a claim
2 and have the duty to defend such claim.

3 E. Coverage under an automobile insurance policy maintained by
4 the TNC shall not be dependent on a personal automobile insurer
5 first denying a claim nor shall a personal automobile insurance
6 policy be required to first deny a claim.

7 F. Insurance required by this section may be placed with an
8 insurer authorized to do business in this state or with a surplus
9 lines insurer eligible under Section 1100 et seq. of Title 36 of the
10 Oklahoma Statutes.

11 G. Insurance satisfying the requirements of this section shall
12 be deemed to satisfy the financial responsibility requirement for a
13 motor vehicle under Chapter 7 of the Oklahoma Highway Safety Code of
14 Section 7-101 et seq. of ~~Title 47 of the Oklahoma Statutes~~ this
15 title, while the TNC driver is logged into the network.

16 H. A TNC driver shall carry proof of coverage satisfying
17 subsections B and C of this section with him or her at all times
18 during his or her use of a vehicle in connection with a
19 transportation network company's digital network. Proof of coverage
20 may be presented in electronic format. In the event of an accident,
21 a TNC driver shall provide this insurance coverage information to
22 the directly interested parties, automobile insurers and
23 investigating police officers, upon request pursuant to Section 7-
24 102 et seq. of ~~Title 47 of the Oklahoma Statutes~~ this title. Upon

1 such request, a TNC driver shall also disclose to directly
2 interested parties, automobile insurers, and investigating police
3 officers whether he or she was logged on to the TNC's digital
4 network or on a prearranged ride at the time of an accident.

5 SECTION 3. This act shall become effective November 1, 2017.

6

7 56-1-1607 JD 3/13/2017 4:36:44 PM

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24