

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 ENGROSSED HOUSE
4 BILL NO. 2464

By: Hill of the House

and

Paxton of the Senate

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8 An Act relating to motor vehicles; creating the
9 Independent Driver Classification Act; amending 47
10 O.S. 2021, Section 1030, which relates to exclusive
11 jurisdiction of the Corporation Commission; requiring
12 Transportation Network Company drivers be independent
13 contractors if certain conditions are met; detailing
14 certain conditions; providing for noncodification;
15 and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 This act shall be known and may be cited as the "Independent
20 Driver Classification Act".

21 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1030, is
22 amended to read as follows:

23 Section 1030. A. Notwithstanding any other provision of law,
24 the regulation, licensing or permitting of transportation network
companies for the provisions of prearranged rides is within the
exclusive jurisdiction of the Oklahoma Corporation Commission as set

1 forth in the Oklahoma Transportation Network Company Services Act
2 and any rules promulgated by the Commission consistent with the act.
3 No political subdivision of the state may impose a tax on, or
4 require a license for, a ~~TNC~~ Transportation Network Company (TNC) or
5 a TNC driver for the provision of prearranged rides or subject a TNC
6 to the political subdivision's rate requirement, entry requirement,
7 operational requirement or other requirements.

8 B. All TNC drivers shall be independent contractors and not
9 employees of the TNC if all of the following conditions are met:

10 1. The TNC does not prescribe specific hours during which a TNC
11 driver must be logged into the TNC's digital network;

12 2. The TNC imposes no restrictions on the TNC driver's ability
13 to utilize digital networks from other TNCs;

14 3. The TNC does not restrict a TNC driver from engaging in any
15 other occupation or business; and

16 4. The TNC and TNC driver agree in writing that the driver is
17 an independent contractor with respect to the TNC.

18 SECTION 3. This act shall become effective November 1, 2023.

19 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
20 April 11, 2023 - DO PASS

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