



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 17-81

March 24, 2017

Investigation of the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to Chapter 187 of the Acts of 2016; G.L. c. 25, § 23; G.L. c. 30A, § 2; G.L. c. 159A½; and 220 C.M.R. §§ 2.00 et seq., establishing requirements for transportation network companies and the provision of transportation network services.

On March 24, 2017, the Department of Public Utilities (“Department”), issued an Order instituting a rulemaking proceeding, pursuant to G.L. c. 25, § 23(a); G.L. c. 30A, § 2; G.L. c. 159A½; and 220 C.M.R. §§ 2.00 et seq., to establish regulations 220 C.M.R. § 274.00 et seq. (“Transportation Network Companies”). Specifically, the Department instituted the rulemaking to implement the requirements of an Act Regulating Transportation Network Companies, St. 2016, c. 187 (“Act”). Section 4 of the Act established M.G.L. c. 159A½, Transportation Network Companies, and Section 2 of the Act established M.G.L. c. 25, § 23(a), thereby creating a division within the Department that “shall promulgate rules and regulations and shall perform such functions as necessary for the administration, implementation and enforcement of chapter 159A½.” The Department has designated this division as the Transportation Network Company Division (“Division”).

Consistent with the requirements of G.L. c. 25, § 23(a) and G.L. c. 159A½, the proposed regulations establish a uniform system for certification and oversight of Transportation Network Companies (“TNCs”) and Transportation Network Drivers (“Drivers”). The proposed regulations require TNCs to apply to the Department for a permit to operate within the Commonwealth, and to apply annually to renew that permit. In addition, the proposed regulations specify requirements for Drivers that operate within the Commonwealth. The proposed regulations also require a two-part background check for each Driver. Further, the proposed regulations provide that a TNC shall, at a minimum, have an established process to ensure the safety and convenience of all members of the public, comply with related rules and regulations, and facilitate the Division’s efficient review of a TNCs permit application or renewal. Finally, the proposed regulations establish an enforcement process by which the Division may penalize a TNC or deny a TNC authority to operate within the Commonwealth for noncompliance with the regulations.

A copy of the Order and proposed regulations may be viewed at the Department’s offices at One South Station, 5th Floor, Boston, Massachusetts 02110. The Department has also posted a copy of the Order and proposed amended and rescinded regulations on its website. Documents on the Department’s website may be accessed by entering the docket

