

# FINAL BILL REPORT

## SHB 2382

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**C 184 L 24**  
Synopsis as Enacted

**Brief Description:** Concerning death benefits applicable to drivers of transportation network companies.

**Sponsors:** House Committee on Labor & Workplace Standards (originally sponsored by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet and Ormsby).

**House Committee on Labor & Workplace Standards**  
**Senate Committee on Labor & Commerce**

### **Background:**

Under the state's industrial insurance laws, workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits. The Department of Labor and Industries (Department) administers the program. Depending on the disability, workers receive medical, temporary time-loss, and vocational rehabilitation benefits, as well as benefits for permanent disabilities.

When death results from the work-related injury, the surviving spouse receives a pension until the spouse remarries. Dependent children of workers who die from a work-related injury are also entitled to benefits, as are other dependents. The beneficiary must submit an application for benefits within one year from the date of the worker's death due to injury. The amount of a monthly survivor benefit varies depending upon whether there is a surviving spouse or registered domestic partner, children, or other dependents. For example, a surviving spouse or registered domestic partner may receive 60 percent of the wages at the time of injury, up to the maximum level allowed by law. If the worker had minor children, an additional 2 percent per child is paid, up to an additional maximum of 10 percent.

A "transportation network company" (TNC) is a company that uses a digital network to connect passengers to drivers for prearranged rides. The Department assesses TNCs premiums for workers' compensation coverage applicable to drivers during the time the

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driver is traveling from a dispatch location to pick up a passenger and while the driver is transporting the passenger. Workers' compensation coverage does not apply to drivers at other times.

**Summary:**

Death benefits must be provided when a TNC driver's death results from an injury while the driver was: (1) logged onto the TNC's digital network as available for work; (2) physically inside the vehicle or within the immediate proximity of the vehicle; and (3) not otherwise covered under the workers' compensation system. The statute of limitations begins upon the driver's death.

The costs of the benefits must be included in the consideration of rate increases for the risk class and not included in any individual TNC's experience modification factor.

The Department may adopt rules to implement this provision.

The Department must conduct a study using administrative and other available data on the number and frequency of TNC drivers filing claims who are victims of crime while connected to a TNC digital network and whether those claims were accepted or denied, and reasons for denials. The Department must submit a report to the Legislature by July 1, 2029.

**Votes on Final Passage:**

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|--------|----|----|-------------------|
| House  | 57 | 40 |                   |
| Senate | 32 | 17 | (Senate amended)  |
| House  | 58 | 39 | (House concurred) |

**Effective:** June 6, 2024