

ESSB 5550 - H AMD TO H AMD (H-2644.1/15) **477**

By Representative Kirby

ADOPTED 04/15/2015

1 On page 1, beginning on line 3 of the striking amendment, strike
2 all of section 1 and insert the following:

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "Personal vehicle" means a vehicle that is used by a
7 commercial transportation services provider driver in connection
8 with providing services for a commercial transportation services
9 provider and that is authorized by the commercial transportation
10 services provider.

11 (2) "Prearranged ride" means a route of travel between points
12 chosen by the passenger and arranged with a driver through the use
13 of a commercial transportation services provider's digital network
14 or software application. The ride begins when a driver accepts a
15 requested ride through a digital network or software application,
16 continues while the driver transports the passenger in a personal
17 vehicle, and ends when the passenger departs from the personal
18 vehicle.

19 (3) "Commercial transportation services provider" means a
20 corporation, partnership, sole proprietorship, or other entity,
21 operating in Washington, that uses a digital network or software
22 application to connect passengers to drivers for the purpose of
23 providing a prearranged ride. However, a commercial transportation
24 services provider is not a taxicab company under chapter 81.72 RCW,
25 a charter party or excursion service carrier under chapter 81.70
26 RCW, an auto transportation company under chapter 81.68 RCW, a
27 private, nonprofit transportation provider under chapter 81.66 RCW,

1 or a limousine carrier under chapter 46.72A RCW. A commercial
2 transportation services provider is not deemed to own, control,
3 operate, or manage the personal vehicles used by commercial
4 transportation services providers. A commercial transportation
5 services provider does not include a political subdivision or other
6 entity exempt from federal income tax under 26 U.S.C. Sec. 115 of
7 the federal internal revenue code.

8 (4) "Commercial transportation services provider driver" or
9 "driver" means an individual who uses a personal vehicle to provide
10 services for passengers matched through a commercial transportation
11 services provider's digital network or software application.

12 (5) "Commercial transportation services provider passenger" or
13 "passenger" means a passenger in a personal vehicle for whom
14 transport is provided, including:

15 (a) An individual who uses a commercial transportation services
16 provider's digital network or software application to connect with a
17 driver to obtain services in the driver's vehicle for the individual
18 and anyone in the individual's party; or

19 (b) Anyone for whom another individual uses a commercial
20 transportation services provider's digital network or software
21 application to connect with a driver to obtain services in the
22 driver's vehicle.

23 (6) "Commercial transportation services" or "services" means all
24 times the driver is logged in to a commercial transportation
25 services provider's digital network or software application or until
26 the passenger has left the personal vehicle, whichever is later. The
27 term does not include services provided either directly or under
28 contract with a political subdivision or other entity exempt from
29 federal income tax under 26 U.S.C. Sec. 115 of the federal internal
30 revenue code."

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EFFECT: Makes technical changes to the definitions and includes language regarding certain exemptions and exclusions for commercial transportation services and commercial transportation services providers.

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