

E AND R AMENDMENTS TO LB 771

Introduced by Guereca, 7, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 **Section 1.** Section 75-327, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 75-327 (1) A participating driver shall not provide a ride unless it
6 is a prearranged ride. No person shall be a participating driver for a
7 period of more than twelve hours during each twenty-four-hour period.

8 (2)(a) A transportation network company may offer service for
9 compensation, no charge, or suggested compensation.

10 (b) Except as provided in this section, transportation network
11 companies shall not be subject to rate regulation by the commission and
12 shall not be subject to provisions relating to rates and charges
13 prescribed in sections 75-101 to 75-158.

14 (c) A transportation network company shall file with the commission
15 the rates it uses to determine any compensation or suggested compensation
16 on its online-enabled application or platform, including any use of
17 dynamic pricing. The transportation network company shall keep the rate
18 filing current and shall charge rates consistent with the rates it files
19 with the commission.

20 (d) The following requirements apply if the transportation network
21 company uses dynamic pricing through its online-enabled application or
22 platform:

23 (i) The transportation network company's online-enabled application
24 or platform shall provide clear visible indication that dynamic pricing
25 is in effect prior to the passenger requesting a ride;

26 (ii) The transportation network company's online-enabled application
27 or platform shall include a feature that requires the passenger to

1 expressly confirm that he or she understands that dynamic pricing will be
2 used in order for the ride request to be completed;

3 (iii) The transportation network company's online-enabled
4 application or platform shall provide a fare estimator that enables the
5 passenger to estimate the cost under dynamic pricing prior to requesting
6 the ride; and

7 (iv) Dynamic pricing shall not be permitted for seven days after any
8 state of emergency declared by the Governor. The prohibition shall be
9 confined to the areas delineated in the Governor's emergency
10 proclamation. The Governor may further regulate dynamic pricing at his or
11 her discretion during any state of emergency through executive order.
12 ~~Dynamic pricing shall not be permitted during any state of emergency~~
13 ~~declared by the Governor.~~

14 (3) Upon completion of a prearranged ride, a transportation network
15 company shall transmit an electronic receipt to the passenger's email
16 address or online-enabled application documenting the following:

- 17 (a) The point of origin and destination of the prearranged ride;
18 (b) The total duration and distance of the prearranged ride;
19 (c) The total amount paid, if any, including the base fare and any
20 additional charges incurred for distance traveled or duration of the
21 prearranged ride; and
22 (d) The driver's first name.

23 **Sec. 2.** Original section 75-327, Reissue Revised Statutes of
24 Nebraska, is repealed.

25 **Sec. 3.** Since an emergency exists, this act takes effect when
26 passed and approved according to law.

27 2. On page 1, line 4, strike "and"; and in line 5 after "section"
28 insert "; and to declare an emergency".