

## ENGROSSED LEGISLATIVE BILL 771

Introduced by Ballard, 21.

A BILL FOR AN ACT relating to transportation; to amend section 75-327, Reissue Revised Statutes of Nebraska; to change provisions relating to dynamic pricing used by transportation network companies during states of emergency declared by the Governor; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

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

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

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

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

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

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

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

(ii) The transportation network company's online-enabled application or platform shall include a feature that requires the passenger to expressly confirm that he or she understands that dynamic pricing will be used in order for the ride request to be completed;

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

(iv) Dynamic pricing shall not be permitted for seven days after any state of emergency declared by the Governor when such emergency impacts the transportation of persons, suppliers, goods, or equipment. The prohibition shall be confined to the areas delineated in the Governor's emergency proclamation. The Governor may further regulate dynamic pricing at his or her discretion during any state of emergency through executive order.

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

(a) The point of origin and destination of the prearranged ride;

(b) The total duration and distance of the prearranged ride;

(c) The total amount paid, if any, including the base fare and any additional charges incurred for distance traveled or duration of the prearranged ride; and

(d) The driver's first name.

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

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

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 771 was passed by the One Hundred Ninth  
Legislature of Nebraska at its Second Session on the ..... day  
of ..... 20.....*

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**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

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**GOVERNOR**