

**Uber and Lyft Recommendations for the Governor's Committee on the
Compensation, Wellbeing, and Fair Treatment of Transportation Network
Company Drivers**

Minimum Compensation.

Previously as part of the taskforce and in conversations with stakeholders, the TNCs have offered a rate of \$24 per P3 hour for rides starting in MSP and \$15 per P3 hour for rides starting outside MSP. As a show of good faith, to better account for time spent without a passenger, and in order to arrive at an agreement across this group, we are prepared to increase the earnings floor to \$30 per P3 hour/\$20 per P3 hour for the 2 regions.

- (a) A transportation network company shall ensure that for each earnings period, a driver is compensated at not less than the net earnings floor as set forth in this section. The net earnings floor establishes a guaranteed minimum level of compensation for drivers that cannot be reduced. In no way does the net earnings floor prohibit drivers from earning a higher level of compensation.
- (b) For each earnings period, a transportation network company shall compare a driver's net earnings against the net earnings floor for that driver during the earnings period. In the event that the driver's net earnings in the earnings period are less than the net earnings floor for that earnings period, the transportation network company shall include an additional sum accounting for the difference in the driver's earnings no later than during the next earnings period.
- (c) For purposes of this section, the following definitions apply:
 - (1) "Earnings period", means a time period, set by the transportation network company, not to exceed 14 consecutive calendar days.
 - (2) "Net earnings", means all earnings remitted to a transportation network driver in an earnings period.
 - (3) "Twin Cities area" means the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington
- (d) Minimum compensation paid by a TNC to a driver shall be as follows:
 - (1) for all trips that start in the Twin Cities area, at least \$30/hr. for the time transporting a rider; or
 - (2) for all trips that start outside of the Twin Cities area, at least \$20/hr. for the time transporting a rider;
 - (3) a minimum fee of \$5.00 for any transportation of a rider by a driver.
- (e) A TNC that uses its software or collection technology to collect fees or fares must pay a driver the fees or fares earned by the driver, regardless of whether the fees or fares are actually collected.

(f) A TNC must provide a driver all tips that a rider provides to the applicable driver on the driver's next payment.

(g) Beginning July 1, 2025, and each July 1 thereafter, the minimum compensation amounts under paragraph (d), clauses (1) to (3), must be adjusted annually using the lower of (i) a 3 percent annual rate; or (ii) the average inflation rate for that year as reflected in the Consumer Price Index for Urban Wage Earners and Clerical Workers ("CPI-W") for the Midwest Region.

Insurance.

Uber and Lyft support additional coverage for medical benefits and wage loss stemming from injuries on the job unrelated to the operation of a motor vehicle. This additional insurance would come at no cost for drivers and would cover many of the issues and gaps that were discussed and outlined over the course of the task force, including medical expenses and lost earnings resulting from injuries suffered when the driver is engaged including disability payments, benefits for spouses, children or other dependents.

Relationship of the parties.

This language comes directly from the Washington State Law.

If a transportation network company is in substantial compliance with this chapter, any obligations that the transportation network company has with respect to a driver, including but not limited to any obligations related to taxation, wages, insurance, and terms and conditions of work, under any law beyond this chapter shall be deemed fully satisfied and the transportation network company shall be fully exempt from those obligations. Any party seeking to establish otherwise bears the burden of doing so by clear and convincing evidence.

To the extent a driver is found to have any rights with respect to his or her work as a driver under any law beyond this chapter those rights shall be deemed to be satisfied in full, the transportation network company shall be exempt from any obligations concerning those rights, and the driver shall not be considered the agent of the network company for any purpose, if the transportation network company with which the driver contracts is in substantial compliance with the obligations imposed by this chapter. Any party seeking to establish otherwise bears the burden of doing so by clear and convincing evidence.

Preemption of local law.

Notwithstanding any other provision of law, local governmental units of this state may neither enact nor enforce any ordinance or other local law or regulation that regulates any matter relating to the requirements of transportation network companies or transportation network company drivers which are addressed by this act.