



State of Utah

DEPARTMENT OF COMMERCE
DIVISION OF CONSUMER PROTECTION

TRANSPORTATION NETWORK COMPANY REGISTRATION APPLICATION FORM

Annual Application fee: \$5,000.00 (Non-refundable)

Initial applicant: One-time assessment for Transportation Network Vehicle Recovery Fund: \$15,000.00 (Please see page 6 for additional information and requirements.)

Name of Transportation Network Company

Date of Application

OFFICE USE ONLY	
Date Issued:	_____
Permit Number:	_____
Approved:	_____
Denied:	_____
Expiration:	_____

Please mark the appropriate box:

INITIAL APPLICATION

RENEWAL APPLICATION

Important notice regarding business confidentiality claims pursuant to the Government Records Access and Management Act: If you wish to make a claim of business confidentiality with respect to any information in this application or with respect to records you provide to the Division, please be aware of the following law: "Any person who provides to a governmental entity a record that the person believes should be protected under 63G-2-305(1) [trade secrets] or (2) [commercial information or nonindividual financial information] or both Subsections 63G-2-305(1) and (2) shall provide with the record: (A) a written claim of business confidentiality; and (B) a concise statement of reasons supporting the claim of business confidentiality."

If you have any questions, please contact the Division at (801) 530-6601.

Please make application fee check or money order payable to the **State of Utah**.

Please return the completed application form and check or money order to:

Department of Commerce
Division of Consumer Protection
160 East 300 South
Box 146704
Salt Lake City, Utah 84114-6704

NOTE: The Transportation Network Company registration is effective for one year.

PART I: APPLICANT’S IDENTIFICATION

- 1. Name of Transportation Network Company (TNC):

- 2. Other Names Applicant Uses: _____
- 3. TNC Information:
 - A. Physical Street Address: _____
City/State/Zip: _____
Telephone Number: _____ Facsimile Number: _____
Email address: _____
 - B. Mailing Address: _____
City/State/Zip: _____
 - C. Website or web address homepage: _____
 - D. Contact Person Information (all correspondence will be addressed to individual listed):
Name: _____
Mailing Address: _____
City/State/Zip: _____
Telephone Number: _____ Facsimile Number: _____
Email address: _____

PART II: ORGANIZATION

A. The Transportation Network Company Registration Act (TNC Registration Act) defines a TNC as an entity that (a) uses a software application to connect a passenger to a transportation network driver providing transportation network services; (b) is not: (i) a taxicab as defined in Utah Code §53-3-102; or (ii) a motor carrier as defined in Utah Code §72-9-102; and (c) does not own, control, operate, or manage the vehicle used to provide the transportation network services.

Exhibit A: Please attach a description of how the TNC meets this definition.

B. Provide the following information for Applicant's Registered Agent for service of process in Utah:

Agent Name: _____

Agent's Company Name: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____ Facsimile Number: _____

C. The TNC Registration Act, Utah Code §13-51-105, requires a TNC to post the method for calculating the fare on the transportation network company's software application, and requires a TNC to provide a passenger the rate used to calculate the fare for a prearranged ride. Please include the following:

- A. Exhibit B: A copy of any method of calculating the fare posted on the company's software application, **and**
- B. Exhibit C: A copy of any rate used to calculate the fare for a prearranged ride provided to a passenger.

PART III: DISCRIMINATION AND DRIVER DRUG OR ALCOLHOL USE POLICY

1. The TNC Registration Act, Utah Code §13-51-105, requires a TNC to adopt a policy that prohibits unlawful discrimination with respect to a passenger and requires a TNC to either provide a copy of the policy to each transportation network driver or to post the policy on the TNC's website.

- Has the TNC provided drivers with a copy of the policy? Yes No

OR

- Has the TNC posted a copy of the policy on its website? Yes No

Exhibit D: Please provide a copy of the company's policy that prohibits unlawful discrimination with respect to a passenger. If the company's policy is posted online, please provide the web address to the company's policy online: _____

2. A. The TNC Registration Act, Utah Code §13-51-106, requires a TNC to implement a policy that a transportation network driver may not use a drug or alcohol or be under the influence of a drug or alcohol while providing transportation network services. This section also requires that a TNC post this policy on the company's website or software application.

- Is a copy of the policy posted to the company's website or software application? Yes No

Exhibit E: Please provide a copy of the company’s drug or alcohol use policy.

Please provide the web address to the company’s policy online:

B. The TNC Registration Act, Utah Code §13-51-106, additionally requires that the TNC provide procedures for a passenger to report to the TNC a transportation network driver who the passenger suspects violated the drug or alcohol use policy.

- Has the TNC put in place these procedures? Yes No

Exhibit F: Please provide a copy of the procedures.

PART IV: INSURANCE

1. The TNC Registration Act, Utah Code §13-51-105, provides that a disclosure related to insurance be provided to the transportation network drivers. (For a description of the required contents of the disclosure, see Utah Code §13-51-105(9).)

- Has the TNC provided a copy of the disclosure related to insurance as described in Utah Code §13-51-105(9) to its transportation network drivers? Yes No

Exhibit G: Please attach a copy of the disclosure related to insurance provided to the transportation network drivers.

Prearranged Ride

2. During a prearranged ride, which of the following is responsible for providing insurance coverage?
 Transportation Network Company Transportation Network Driver Combination of both

If a “Combination of both” is selected, please explain what insurance the TNC will provide and what insurance the driver will provide:

Exhibit H: Please provide a copy of the TNC’s insurance policy relative to the prearranged ride.

Appendix I: If any insurance is provided by a transportation network driver for a prearranged ride, please fill out, sign, and include Appendix I with the application.

Please check each of the following items contained in the TNC's insurance coverage relative to a prearranged ride:

- A. Acknowledgment that the vehicle is being used by the transportation network driver in connection with a transportation network company during a prearranged ride, or acknowledgement that the transportation network driver is otherwise using the vehicle for a commercial purpose;
- B. Liability coverage for a minimum amount of \$1,000,000 per occurrence;
- C. Personal injury protection to the extent required under Utah Code §31A-22-306 through 31A-22-309;
- D. Uninsured motorist coverage where required by Utah Code §31A-22-305;
- E. Underinsured motorist coverage where required by Utah Code §31A-22-305.3

Waiting Period

3. During a waiting period, which of the following is responsible for providing insurance coverage?

- Transportation Network Company Transportation Network Driver Combination of both

If a "Combination of both" is selected, please explain what insurance the TNC will provide and what insurance the driver will provide:

Exhibit I: Please provide a copy of the TNC's insurance policy relative to the waiting period.

Appendix II: If any insurance is provided by a transportation network driver for a waiting period, please fill out, sign and include Appendix II with the application.

Please check each of the following items contained in the TNC's insurance coverage relative to a waiting period:

- A. Acknowledgment that the vehicle is being used by the transportation network driver in connection with a transportation network company during a waiting period, or acknowledgement that the transportation network driver is otherwise using the vehicle for a commercial purpose;
- B. Liability coverage in a minimum amount, per occurrence, of: (a) \$50,000 to any individual; (b) \$100,000 to all individuals; and (c) \$30,000 for property damage;
- C. Personal injury protection to the extent required under Utah Code §31A-22-306 through 31A-22-309
- D. Uninsured motorist coverage where required by Utah Code §31A-22-305
- E. Underinsured motorist coverage where required by Utah Code §31A-22-305.3

Application continues on the following page.

PART V: TRANSPORTATION NETWORK VEHICLE RECOVERY FUND

1. The TNC Registration Act, Utah Code §13-51-201, creates an expendable special revenue fund called the “Transportation Network Recovery Fund.” This section requires the Division to collect a one-time assessment in the amount of \$15,000 and on the first day of each quarter, a payment of 10 cents for each prearranged ride provided by a transportation network driver in affiliation with the TNC (see Utah Code §13-51-202(1)(a)(b)).

Utah Code §13-51-202 also provides that an assessment can be made if a claim is granted by the division that is greater than the amount of money in the fund. The division will assess an amount equal to the difference between the claim and the amount of money in the fund, divided by the number of transportation network companies licensed under Utah Code §13-51.

Initial Application

- Has the TNC included the one-time assessment in the amount of \$15,000 with this application?
 Yes No

Renewal Application

- Has the TNC provided the one-time assessment in the amount of \$15,000?
 Yes No

Please carefully read and initial the following statements regarding the Transportation Network Recovery Fund:

1. _____The TNC understands that a one-time assessment of \$15,000 is required from each TNC.
2. _____The TNC understands that each quarter a payment of 10 cents for each prearranged ride provided will be required if the amount in the fund is not greater than \$50,000.
3. _____The TNC understands that if a claim is granted in an amount that is greater than the amount of money in the fund, the division will assess an amount equal to the difference between the claim and the amount of money in the fund, divided by the number of transportation network companies licensed under Utah Code §13-51.

Application continues on the following page.

PART VI: ACKNOWLEDGEMENT

Please carefully read and initial each statement. Please sign below in acknowledgement.

1. ____The TNC certifies a passenger is allowed to obtain an estimated fare for a prearranged ride before the passenger enters a transportation network driver’s vehicle.
2. ____The TNC certifies that before a passenger enters a transportation network driver’s vehicle, a picture of the driver is displayed on the TNC’s software application.
3. ____The TNC certifies that shortly after the prearranged ride is complete, an electronic receipt is transmitted to the passenger.
4. ____The TNC certifies that a record of all trips and information regarding a transportation network driver is maintained for a minimum of five years.
5. ____The TNC understands that the TNC Registration Act requires a transportation network driver to accommodate a service animal or an individual with a disability. The TNC certifies that no additional charge is imposed to provide accommodations to a service animal or an individual with a physical disability.
6. ____The TNC certifies that a passenger is allowed to request a prearranged ride in a wheelchair-accessible vehicle, and if a wheelchair-accessible vehicle is not available, the passenger will be directed to another service that provides wheelchair-accessible service, if available.
7. ____The TNC certifies that for an incident that occurs, the TNC will cooperate with the liability insurer and shall provide information to the insurer regarding the incident.
8. ____The TNC certifies that if the TNC receives a complaint about a transportation network driver in regards to the company’s drug or alcohol use policy, the company will suspend the driver and conduct an investigation into the driver and the conduct alleged in the complaint.
9. ____The TNC certifies that records related to a complaint or investigation, in #8 above, shall be maintained for a minimum of two years after the company receives the complaint.
10. ____The TNC certifies that the TNC meets the requirements related to transportation network drivers provided in the TNC Registration Act, Utah Code §13-51-107, including circumstances where a TNC may not allow an individual to provide transportation network service.

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

PART VII: SIGNATURE / ACKNOWLEDGEMENT

By authorized signature, the applicant TNC:

- understands that this applicant is subject to audit; and
- affirms that the Transportation Network Company is in compliance with the Transportation Network Company Registration Act
- affirms under penalties of perjury that this application is complete and not misleading;

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

DOCUMENT CHECKLIST

INCLUDE WITH THE APPLICATION:

- Exhibit A: Please attach a description of how the TNC meets the definition of a TNC as described in the TNC Registration Act.
- Exhibit B: A copy of any method of calculating the fare posted on the company's software application, and
- Exhibit C: A copy of any rate used to calculate the fare for a prearranged ride to a passenger.
- Exhibit D: Please provide a copy of the company's policy that prohibits unlawful discrimination with respect to a passenger.
- Exhibit E: Please provide a copy of the company's drug or alcohol use policy.
- Exhibit F: Please provide a copy of the procedures for a passenger to report a suspected violation of the drug or alcohol use policy.
- Exhibit G: Please attach a copy of the discloser related to insurance provided to the transportation network drivers.
- Exhibit H: Please provide a copy of the TNC's insurance policy relative to the prearranged ride.
- Exhibit I: Please provide a copy of the TNC's insurance policy relative to the waiting period.

If applicable, please include the following with the application:

- Appendix I: If any insurance is provided by a transportation network driver for a prearranged ride, please fill out, sign and include Appendix I with the application.
- Appendix II: If any insurance is provided by a transportation network driver for a waiting period, please fill out, sign and include Appendix II with the application.

FAILURE TO PROVIDE THE REQUIRED DOCUMENTS WILL RESULT IN AN INCOMPLETE APPLICATION AND MAY INCREASE PROCESSING TIME. FAILURE TO RESPOND TO AN INCOMPLETE LETTER MAY RESULT IN DENIAL OF THE APPLICATION.

APPENDIX I: PREARRANGED RIDE

Please read carefully and sign both sections of Appendix I.

Section A

Utah Code §13-51-108 requires that if the Transportation Network Company does not purchase a policy that complies with Utah Code §13-51-108 on behalf of a transportation network driver, the transportation network company shall verify that the driver has purchased a policy that complies with the insurance requirements of Utah Code §13-51-108 (Please see Utah Code §13-51-108).

For any insurance provided by a driver, the Transportation Network Company certifies that all the drivers providing Transportation Network Services through the TNC have purchased an insurance policy that complies with Utah Code §13-51-108.

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

Section B

The Transportation Network Company certifies that if the insurance that a transportation network driver maintains lapses or ceases to exist, the TNC provides coverage complying with the requirements of Utah Code §13-51-108.

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

APPENDIX II: WAITING PERIOD

Please read carefully and sign both sections of Appendix II.

Section A

Utah Code §13-51-108 requires that if the Transportation Network Company does not purchase a policy that complies with Utah Code §13-51-108 on behalf of a transportation network driver, the transportation network company shall verify that the driver has purchased a policy that complies with the insurance requirements of Utah Code §13-51-108 (Please see Utah Code §13-51-108).

For any insurance provided by a driver, the Transportation Network Company certifies that all the drivers providing Transportation Network Services through the TNC have purchased an insurance policy that complies with Utah Code §13-51-108.

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

Section B

The Transportation Network Company certifies that if the insurance that a transportation network driver maintains lapses or ceases to exist, the TNC provides coverage complying with the requirements of Utah Code §13-51-108.

DATED: _____

SIGNATURE: _____

Printed Name/Title: _____

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D

EXHIBIT E

EXHIBIT F

EXHIBIT G

EXHIBIT H

EXHIBIT I

APPENDIX I

APPENDIX II