



Transportation Networking Companies and Transit: Resolving Legal Concerns to Foster Innovation

Dana A. Henderson, General Counsel



Why partner with TNCs?

- Innovation and continued relevancy
- Ease & convenience of rider connections (at lower cost)
- Rider expectations
- Recent APTA study: 20+% already using TNC in some way to connect to transit
- Shared goals, like:
 - alternatives to congestion,
 - Minimizing SOVs,
 - Service to those who do not have cars,
 - Ease and affordability of transportation, and
 - Seamless options.
- Options outside of usual transit fixed route hours.
- At “sweet spot” – environmentally responsible transportation solution/partner.
- Continued first and last mile barrier to transit use.



Risks to address

- ADA; Service Animals
- Liability/indemnification
- Insurance
- Public records and data sharing // overall transparency
- Labor Unions and employment classification
- Public safety: background checks; vehicle inspections; business license; drugs/alcohol
- Title VI – disparate impact/disproportionate burden
- FTA requirements
- Parking/ROW sharing
- Signage/advertising
- Procurement requirements
- Access for non-tech/smart phone users
- Regional coordination (separate contracts per agency but overlapping service areas)
- Data breach/customer information

...and probably more!



ADA accessibility/Equivalency

TNCs are subject to ADA requirements

Via Transit Agency, must provide “equivalent service”

- Service must be accessible; even if individual vehicles not
- Some ADA service via TNC is acceptable as long as it meets requirements (complementary paratransit)
- If TNC provides fixed route, must be WAV

Options:

- TNC provides enough WAV vehicles;
- additional contract with WAV contractor; *or*
- dispatch your own fleet.



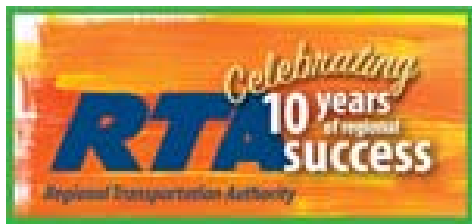
Drug & Alcohol Testing

49 CFR 655 - D&A requirements applicable to independent drivers of ridesharing companies contracting with transit agencies.

But:

- **“taxicab exemption” - not when patron chooses company that provides service (voucher)**
- **not if funded by research funds**
- **not pilot programs**

FTA Sandbox Grant Recipients w/ TNCs



We'll Get You There





Different Models

- **Coupons/discounts:** Using TNCs within zones and if begin/end at a stop or transit center, \$X off of trip. Associated on-demand option for paratransit. (PSTA; Denton Cty; San Diego MTS)
- **Shared or Hosted Marketing:** Advertising an official “ride share partner” w/ discounts (Chicago Metra); allowing for discounted TNC rides in exchange for advertising space on transit facilities or fleet (SEPTA)
- **App Integration:** Transit as an option on the TNC’s app/information sharing “complete trip” (DART); partnering with TNC on TransLoc Rider mobile app (Memphis ATA; Go Triangle); “Bus Detective” (SORTA)
- **Partnering with TNCs for limited services:** ERH, special event connections
- **Micro Transit** – either provided by private carrier or run on App by Transit Agency (Valley Transit; KC Transit)



Thank you

Dana Henderson
Pierce Transit
Lakewood, Washington
(253) 777-4977
dhenderson@piercetransit.org