



STATE OF ALABAMA
PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130

TWINKLE ANDRESS CAVANAUGH, PRESIDENT

JOHN A. GARNER, EXECUTIVE DIRECTOR

JEREMY H. ODEN, ASSOCIATE COMMISSIONER

CHRIS "CHIP" BEEKER, JR., ASSOCIATE COMMISSIONER

Re: Request for Modification of Rule TNC-3(1)(b)

DOCKET 32779

Rasier, LLC

PERMIT TNC-1

ORDER

BY THE COMMISSION:

On or about November 18, 2019, Rasier, LLC (a.k.a. "Uber"), a permitted transportation network company ("TNC"), submitted a request for a modification of Rule TNC-3 pursuant to Rule TNC-1(2). Uber requests that Rule TNC-3(1)(b) be modified to remove the requirement that a TNC driver's "top of shoulders" must be shown in the photograph of the driver on the TNC's digital network. To support this request, Uber states that the photographs on its digital network are displayed in a circle which may prevent the top of the shoulders from being visible on the digital network and that its "global interface for [its] digital network... cannot be easily modified to fit local requirements." In addition to the claimed difficulty with modifying the digital network, Uber also asserts that this requirement does not provide an important safety benefit that is not satisfied by the other requirements in Rule TNC-3.

Rule TNC-3(1)(b) promotes safety by ensuring that a TNC rider has multiple methods to confirm that she is entering the correct TNC vehicle with the correct TNC driver. The methods of confirmation required by Rule TNC-3(1)(b) involve giving a TNC rider accurate information about the TNC driver and the TNC vehicle through the digital network, specifically: a picture of the TNC driver; the first name of the TNC driver; and the make, model, and license plate number

of the TNC vehicle. The photo of the TNC driver is only useful for confirmation if the photo is clearly identifiable, which is the purpose of Rule TNC-3(1)(b)'s requirement that the photo "show full face and top of shoulders."

Considering the above-stated safety concerns and Uber's position regarding the TNC driver photograph requirements, the Commission previously granted Uber a temporary exemption from the "top of shoulders" requirement to allow time for Commission Staff to evaluate the safety benefit provided by the photograph requirements. After more than a year of TNC regulation by the Commission, which included a thorough review of Uber's driver photographs during an annual records inspection, Commission Staff determined that the other requirements of Rule TNC-3(1)(b) are sufficient to ensure that a TNC rider can recognize a TNC driver from the photograph displayed on the digital network. Therefore, Commission Staff recommended a permanent exemption for Uber from the "top of shoulders" requirement of Rule TNC-3(1)(b).

IT IS THEREFORE ORDERED, that Rasier, LLC is granted a permanent exemption from the requirement of Rule TNC-3(1)(b) that the photograph show the driver's "top of shoulders."

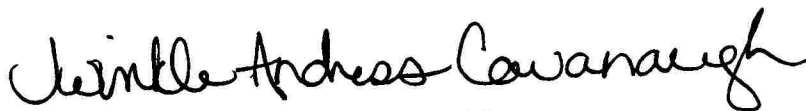
IT IS FURTHER ORDERED, that the operations herein authorized shall be subject to all the rights, privileges, and immunities as well as all the restrictions, liabilities, and responsibilities that are now or may hereafter be imposed upon TNCs by law or by the rules and regulations of this Commission.

IT IS FURTHER ORDERED, that jurisdiction in this cause is retained for whatever order or orders deemed appropriate by the Commission.

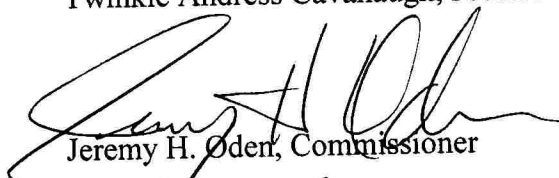
IT IS FURTHER ORDERED, that this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama, this 9th day of December, 2019.

ALABAMA PUBLIC SERVICE COMMISSION



Twinkle Andress Cavanaugh, President

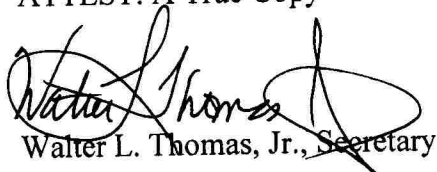


Jeremy H. Oden, Commissioner



Chris "Chip" Beeker, Jr., Commissioner

ATTEST: A True Copy



Walter L. Thomas, Jr., Secretary