



STATE OF ALABAMA  
PUBLIC SERVICE COMMISSION  
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MONTGOMERY, ALABAMA 36130

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CHRIS V. BEEKER, III, ASSOCIATE COMMISSIONER

**NATIONAL MOBILITY ELDERCARE, INC.  
D/B/A ENVOY AMERICA**

**DOCKET 33481**

**PERMIT TNC-7**

**Applicant**

**ORDER**

**BY THE COMMISSION:**

By application filed on or about July 17, 2024, National Mobility Eldercare, Inc. d/b/a Envoy America ("Envoy" or "Applicant"), 17767 N Perimeter Drive, Suite B-109, Scottsdale, Arizona 85255, seeks authority to operate as a transportation network company ("TNC") in the State of Alabama. The application of Envoy was set for hearing on August 13, 2024, pursuant to notice issued on July 25, 2024.

Envoy's permit application was filed pursuant to Alabama Legislative Act No. 2018-127 ("TNC Act")<sup>1</sup> and the Commission's TNC Rules. The TNC Act created a framework for the statewide regulation of TNCs and TNC drivers, placing these entities under the regulatory jurisdiction of the Commission. The TNC Act states that the Commission "shall issue a permit to each applicant that meets the requirements for a TNC under this act." Rule TNC-3 of the Commission's TNC Rules addresses the statutory requirements which must be met in order for the

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<sup>1</sup> Alabama Legislative Act No. 2018-127 is codified at § 32-7C-20 through § 32-7C-37, *Code of Alabama*, 1975.

Commission to issue a permit and requires the submission of certain documents in support of these statutory requirements.

Requirements of the TNC Act and Rule TNC-3

Pursuant to the TNC Act and Rule TNC-3, an applicant must satisfy the following criteria in order to receive a TNC permit:

(a) TNC shall disclose to the rider the fare or fare calculation in its digital network.

If the fare is not disclosed to the rider before the beginning of the prearranged ride, the rider shall have the option to receive an estimated fare before the beginning of the prearranged ride.

(b) TNC's digital network shall display a picture of the TNC driver, the first name of the TNC driver, and the make, model, and license plate number of the TNC driver's vehicle before the rider enters the TNC vehicle. In the photo of the TNC driver displayed on the digital network, the TNC driver must: be facing directly into the camera; be the only person in the photograph; be clearly identifiable; show full face and top of shoulders; and not be wearing sunglasses or other accessories that prevent clear identification.

(c) Within two hours following the completion of a trip, a TNC shall transmit an electronic receipt to the rider that lists all of the following: the origin and destination of the trip; the total time and distance of the trip; the total fare paid; and the TNC driver's first name. The receipt transmit period is tolled for any delays in receipt transmission caused by a TNC rider or any delivery system issues beyond the

reasonable control of the TNC. An electronic receipt may be sent via electronic mail or made available through the TNC's digital network.

(d) TNC shall complete all of the required statutory checks before allowing an individual to accept trip requests through that TNC's digital network as a driver. After allowing an individual to accept trip requests through that TNC's digital network as a driver, a TNC shall annually screen drivers for compliance with the requirements in Section 10 of the Act.

(e) TNC shall establish and enforce a zero-tolerance intoxicating substance policy for TNC drivers that prohibits any amount of intoxication of the driver while providing transportation network services.

(f) TNC shall include on its website, in a prominent location, a notice concerning the TNC's zero tolerance intoxicating substance policy and the means to make a complaint about a suspected violation of the policy.

(g) Upon receipt of a rider complaint alleging a violation of the zero-tolerance intoxicating substance policy, the TNC shall immediately suspend the TNC driver's access to the TNC's digital network and conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

(h) The TNC's zero tolerance intoxicating substance policy shall include a description of the corrective measures to be taken against a TNC driver if the TNC confirms that the TNC driver has violated the terms of the zero-tolerance intoxicating substance policy.

(i) The TNC shall adopt a policy of nondiscrimination against riders or potential riders who are protected by Title 7, Civil Rights Act of 1964, 42 U.S.C. 2000e. et. seq. or the Americans With Disabilities Act of 1990. TNC may not impose additional charges for providing services to individuals with physical disabilities because of those disabilities.

(j) TNC shall maintain an agent for service of process in the State.

(k) TNC shall maintain records as required by the Act.

In addition, an applicant shall submit the following items with its application:

(a) Application fee of \$700

(b) Articles of Incorporation or Articles of Organization

(c) Nondiscrimination Policy

(d) Zero Tolerance Intoxicating Substance Policy

(e) Illustration of TNC's trade dress

(f) Method that TNC will use to calculate customer fares

(g) TNC's Record Retention Policy

(h) TNC policy regarding periodic checks of TNC drivers to ensure that the TNC drivers using its digital network continue to meet the initial standards for TNC drivers described in the Act

(i) Certificate of Insurance

(j) TNC's procedures for responding to requests from law enforcement

(k) Name of agent for service of process in the state

(l) Copy of TNC Vehicle Safety Inspection Form

Envoy's Permit Application and Hearing Testimony

In its permit application, an authorized representative for Envoy provided a sworn statement that the Applicant will comply with all the statutory requirements, as described in the above list. The permit application included all the items required by Rule TNC-3; however, the policy statements enclosed with the application were not on official letterhead or signed. At the hearing, Mr. Karim Kanaan, the Chief Executive Officer for Envoy, confirmed that the policy statements included in the application reflect the official policies of Envoy. These policy documents included the non-discrimination policy; the zero-tolerance intoxicating substance policy; the records retention policy; and the policy regarding responding to requests from law enforcement.

During direct examination, Mr. Kanaan described the services provided by the Applicant, representing that Envoy focuses on serving passengers that are “getting older and dealing with medical conditions.” He indicated that Envoy provides services in 34 states and “grew over the years by working with corporate clients from transportation brokers, health care organizations, cancer treatment centers, kidney dialysis, hospitals to health plans, Medicare Advantage health plans to serve the – either the patients or the members that they serve.” Mr. Kanaan also provided testimony to expand on the information provided in Envoy’s TNC application, including a description of their software application, driver screening, operations, and policies.

During examination by Commission Staff, Mr. Kanaan clarified Envoy’s planned services in Alabama, stating that the Applicant does “have the ability for private-pay clients to book directly,” but that “most of [their] business comes to [them] through corporate clients.” Responding to Staff’s description of Envoy’s business model as being different from the TNC

service contemplated in the Act, Mr. Kanaan committed to cooperating with Commission Staff to address any issues that emerge because of that different model and to meeting the Commission's requirements.

During Mr. Kanaan's testimony regarding deficiencies with the Applicant's vehicle inspection form, he indicated that, following the hearing, he would submit an amended vehicle inspection form that includes all the requirements. Following the hearing, Applicant submitted a compliant vehicle inspection form.

Through its application, hearing testimony, and post-hearing submissions, Envoy demonstrated that it meets the requirements for a TNC pursuant to the TNC Act. Therefore, this permit application is due to be approved.

IT IS, THEREFORE, ORDERED BY THE COMMISSION that Transportation Network Company Permit 7 (Permit TNC-7) is hereby issued to National Mobility Eldercare, Inc. d/b/a Envoy America authorizing operations as a TNC in the State of Alabama.

IT IS FURTHER ORDERED BY THE COMMISSION that National Mobility Eldercare, Inc. d/b/a Envoy America shall notify the Commission and its drivers within thirty (30) days of any changes to its policies that are required by this Act or the TNC Rules.

IT IS FURTHER ORDERED BY THE COMMISSION 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 by law or the rules and regulations of this Commission upon TNCs.

IT IS FURTHER ORDERED BY THE COMMISSION that jurisdiction in this cause is hereby retained for the issuance of any further order or orders as may appear to be just and reasonable in the premise.

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

DONE at Montgomery, Alabama, this 7<sup>th</sup> day of October 2024.

ALABAMA PUBLIC SERVICE COMMISSION



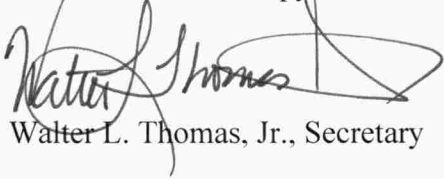
Twinkle Andress Cavanaugh, President



Jeremy H. Oden, Commissioner

\*Chris V. Beeker, III, Commissioner

ATTEST: A True Copy



Walter L. Thomas, Jr., Secretary

\* The Commission's vote on this matter transpired prior to the appointment of Chris V. Beeker, III as Commissioner, Place 2.