


**RULES FILED FOR INCLUSION IN THE ALABAMA ADMINISTRATIVE CODE
BY PUBLIC SERVICE COMMISSION**

An amendment to Alabama Public Service Commission Rule 770-X-12-.03, *Permitting* (Rule TNC-3), was duly adopted by the Alabama Public Service Commission on the 12th day of December 2023, and a true and correct copy was filed with the Legislative Services Agency.



John A. Garner, Executive Director
Alabama Public Service Commission

REC'D & FILED
JAN 16, 2024
LEGISLATIVE SVC AGENCY

770-X-12-.03

Permitting (Rule TNC-3).

(1) The Commission shall issue a permit to an applicant that meets the following statutory requirements:

(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. TNCs shall make a reasonable effort to ensure the driver photos do not have filters or digital effects.

(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.

(2) In order to obtain a permit to operate a TNC, a person shall submit an application to the Commission, on the form prescribed by the Commission, which includes a sworn statement that the applicant will comply with all of the statutory requirements listed above in Subpart (1).

(3) An applicant shall submit the following documents 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

(4) Following the submission of a complete permit application, a public hearing will be held prior to the issuance of a TNC permit.

(5) A person must have a valid and current permit to operate as a TNC.

(6) The TNC permit will be valid until June 30th following the date that it was issued.

(7) In order to renew a TNC permit, a TNC will submit a permit renewal form, on a form prescribed by the Commission, and a renewal fee of \$300 on or before the close of business on July

1st. Any permit renewal received after July 1st will incur a late fee of \$100 per [business](#) day.

(8) The Commission may revoke a TNC permit, effective 30 days from the date of notice, if a TNC fails to submit a completed annual permit renewal form and/or renewal fee on or before the close of business on July 1. Once a permit is revoked, to regain the permit, a person must submit a new application for a TNC permit with an application fee of \$700.

(9) A TNC shall comply with all of the terms of its permits. A TNC's failure to comply with the terms of its permit will be addressed by the Commission in the same manner as a violation of the Act, the TNC Rules, or a Commission order.

Author: Alabama Public Service Commission

Statutory Authority: Code of Ala. 1975, §32-7C-35.

History: Adopted: June 8, 2018. Filed with LRS April 5, 2019. Filed for Codification in the Alabama Administrative Code by the Alabama Public Service Commission on April 5, 2019, pursuant to Code of Ala. 1975, §41-22-7. **Amended:** Published January 31, 2024; effective December 12, 2023.