

# **HB726\_Support\_The Arc Maryland.pdf**

Uploaded by: Mathew Rice

Position: FAV



The Arc Maryland  
8601 Robert Fulton Drive, Suite 140  
Columbia, MD 21046

**HB0726: Transportation of Disabled Persons - Transportation Network Companies -  
Employee Requirements  
Environment and Transportation Committee  
February 17, 2022**

**Position: Support**

The Arc Maryland is the largest statewide advocacy organization dedicated to protecting and advancing the rights of people with intellectual and/or developmental disabilities (IDD) and furthering inclusion of people with IDD in all aspects of daily life.

We support HB726 because we see this as expanding needed transportation access for people with disabilities. By exempting certain employees of transportation network companies (that provide transit service to disabled persons under contract with the Maryland Transit Administration) from CJIS fingerprinting background requirements in lieu of completing another background check, we create a win-win where private transportation companies expand their customer base, and people with disabilities have increased access to the transportation they need.

Currently the Transportation Article says that taxi and paratransit drivers must be fingerprinted. Uber and Lyft drivers are not fingerprinted and therefore currently cannot contract with the Maryland Transit Administration. The Public Service Commission, which regulates taxis, has determined that Uber and Lyft's background checks are sufficient; currently these companies require an annual background screening on all transit operators to including the operator's adult history for certain convictions. We believe this is sufficient.

In October 2021, The Cross Disability Rights Coalition, made up of 40 organizations including The Arc Maryland, called on Governor Larry Hogan to create an emergency response plan for individuals with disabilities who were being stranded or put in harm's way by Maryland Transit Administration (MTA) services. MTA paratransit (MobilityLink) provides public transit for people who cannot, due to environmental barriers or their disabilities, use the fixed route bus service. Riders of paratransit rely on the service to go to health care appointments, jobs, school, day programs, church, shopping, and other community activities. The ongoing failures in transportation service have resulted in people being left on the street for hours, sometimes being told their scheduled ride will not come until 2:00 am or that no ride is available.

MTA has acknowledged it has not been able to provide reliable services and has attributed the issues to driver shortages. Clearly, we need to try something new to address this crisis and restore reliable and safe transportation services for people with disabilities.

For more information, please contact:

Mat Rice, Director of Public Policy

The Arc Maryland

[mrice@thearcmd.org](mailto:mrice@thearcmd.org)

**HB0726 - MTA - TNC Exemption\_1\_SUPP-FINAL.pdf**

Uploaded by: Patricia Westervelt

Position: FAV

---

February 17, 2022

The Honorable Kumar P. Barve  
Chair, House Environment and Transportation Committee  
251 House Office Building  
Annapolis MD 21401

***Re: Letter of Support – House Bill 726 – Transportation of Disabled Persons - Transportation Network Companies - Employee Requirements***

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) supports House Bill 726 as it will allow the MDOT Maryland Transit Administration (MDOT MTA) to offer increased service for our mobility customers, via partnering with Transportation Network Companies (TNCs).

House Bill 726 would exempt TNC employees that provide transit service to disabled persons under contract with the MDOT MTA from the fingerprinting requirement within Transportation Article 7-102.1. In place of that, House Bill 726 requires that TNCs that provide these transit services run an annual background screening on all transit operators, including an operator's entire adult history. House Bill 726 requires that any background screening provider used by a TNC be audited and accredited by the Background Screening Credentialing Council of the Professional Background Screening Association. House Bill 726 also gives the MDOT MTA the ability to adopt more stringent regulations at its discretion.

The MDOT MTA has investigated several innovative ways to improve Mobility service and provide additional options for riders. One effective and immediate way to improve service is through contracts with TNCs for a service similar to the MDOT MTA's current Call-a-Ride program. Mobility riders will have the ability to opt into this supplemental service and their access to existing Mobility service will not change.

Many of the MDOT MTA's industry peers offer similar supplemental paratransit service using TNCs. Currently, the Washington Metropolitan Area Transit Authority (WMATA) offers supplemental premium TNC programs within Maryland.

In the MDOT MTA's initial discussions with major TNCs in the region, it was conveyed that the fingerprinting requirements of Section 7-102.1(e) of the Transportation Article would be a barrier to any contractual agreement with MDOT MTA. Enacting House Bill 726 would immediately remove this impasse and allow negotiations and program implementation to proceed. As an added layer of protection for our customers, House Bill 726 codifies Public Service Commission regulations on minimum standards for criminal history screenings and allows the MDOT MTA to adopt more stringent standards, if needed. Additionally, the MDOT MTA will accept and closely monitor complaints from our riders.

The Honorable Kumar P. Barve  
Page Two

In closing, the operator shortage that currently exists has had a negative impact on the vital service that Mobility supplies to those in need. House Bill 726 will directly address this issue and allow the MDOT MTA to bring a new and innovative solution that will keep our customers safe and on the move.

The Maryland Department of Transportation respectfully requests the Committee grant House Bill 726 a favorable report.

Respectfully submitted,

Holly Arnold  
Administrator  
Maryland Transit Administration  
410-767-3943

Dave Myers  
Director of Governmental Affairs  
Maryland Transit Administration  
410-767-0820

# **HB 726 - Support - Transportation of Disabled Pers**

Uploaded by: Rachel London

Position: FAV



## Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Environment and Transportation Committee

**HB 726: Transportation of Disabled Persons – Transportation Network Companies – Employee Requirements**

**February 17, 2022**

**Position: Support**

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. The DD Council is led by people with developmental disabilities and their families. **From that perspective, the DD Council supports HB 726 as it provides flexibility to transportation network companies, which increases access to transportation services for people with disabilities.**

### **WHAT does this legislation do?**

- This bill requires that transportation network companies (ex. Uber, Lyft, Zipcar) that contract with the Maryland Transit Administration to serve people with disabilities to conduct an annual background screening of all drivers.
- It also exempts transportation network companies from doing a complete criminal history background check through the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

### **WHY is this legislation important?**

- Accessible transportation options for people with disabilities remain one of the greatest barriers to participation in full community life.
- People with disabilities rely on various transportation options to access important resources, such as: urgent health services, food and other groceries, employment, and social and educational advancement opportunities.
- The flexibility of utilizing a transportation network company for travel can address crucial transportation service gaps for people with disabilities.

The DD Council supports HB 726 because it is a step towards increasing comprehensive and accessible transportation options for people with disabilities in Maryland.

Contact: Zach Hands, Communications and Legislative Liaison, [zhands.mddc@gmail.com](mailto:zhands.mddc@gmail.com)

**MD HB 726 - FWA - CDIA.pdf**

Uploaded by: Chris DiPietro

Position: FWA





Consumer Data Industry Association  
1090 Vermont Ave., NW, Suite 200  
Washington, D.C. 20005-4905

P 202 371 0910

Writers email: [eellman@cdiaonline.org](mailto:eellman@cdiaonline.org)

Writer's direct dial: +1 (202) 408-7407

[CDIAONLINE.ORG](http://CDIAONLINE.ORG)

February 15, 2022

The Honorable Kumar Barve  
Chair, House Environment and Transportation Committee  
Annapolis, MD 21401

Re: Amend [H.B. 726](#), Transportation of Disabled Persons – Transportation Network Companies – Employee Requirements

Dear Chair Barve,

This bill, H.B. 726, is intended to protect the riding public, specifically, disabled people across Maryland. We strongly support that goal, which is why CDIA is requesting that your committee amend the background check provision to bring the bill into conformance with long-standing federal and state law. I write on behalf of the Consumer Data Industry Association ("CDIA")<sup>1</sup> to respectfully request that amendment.

For over 110 years, CDIA and its members have stood to help protect the American economy and the American public. Since 1970, the federal Fair Credit Reporting Act ("FCRA") has stood as a strong legal floor for background checks in the U.S. Maryland has its own version of the FCRA in the Commercial Law article since 1976. Among other things, these laws demand accuracy in background check processes and afford legal rights to consumers. Since 2013, Maryland has also regulated the criminal background checks for TNC drivers.

Since 2015, Maryland has had a strong background check component. By law Md. Pub. Utilities Code Ann. § 10-404(b), the Commission "may approve" a TNC driver if:

- (1) the applicant provides all information that the Commission requires for the application, including the information specified in item (2) of this subsection; and
- (2) the Commission is satisfied with the successful submission of the applicant's:
  - (i) national criminal history records check:
    1. conducted by a consumer reporting agency as defined under § 14-1201 of the Commercial Law Article or a comparable entity approved by the Commission; and
    2. that includes:
      - A. a Multi-State Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation;
      - B. a search of the Sex Offender Registry; and
      - C. a search of the U.S. Department of Justice's National Sex Offender Public Website; and

---

<sup>1</sup> CDIA is the voice of the consumer reporting industry, representing consumer reporting agencies, including the nationwide credit bureaus, regional and specialized credit bureaus, background check and residential screening companies, and others. Founded in 1906, CDIA promotes the responsible use of consumer data to help consumers achieve their financial goals and to help businesses, governments, and volunteer organizations avoid fraud and manage risk. Through data and analytics, CDIA members empower economic opportunity all over the world, helping ensure fair and safe transactions for consumers, facilitating competition, and expanding consumers' access to financial and other products suited to their unique needs.

(ii) driving record check that includes a driving history research report.

There is no evidence of a need to have one criminal background check process for TNC drivers of the disabled and another criminal background check process for every other resident of or visitor to Maryland. The long-standing background check processes under federal and state law remain solid. To support the goal of protecting all Marylanders in for-hire vehicles, we respectfully request the following amendment to page 3, lines 4-8 (Sec. 7-102.1(e)(3)(iv):

**(IV) ANY BACKGROUND SCREENING PROVIDER USED BY A TRANSPORTATION NETWORK COMPANY THAT PROVIDES TRANSIT SERVICE TO DISABLED PERSONS UNDER CONTRACT WITH THE ADMINISTRATION SHALL BE ~~AUDITED AND ACCREDITED BY THE BACKGROUND SCREENING CREDENTIALING COUNCIL OF THE PROFESSIONAL BACKGROUND SCREENING ASSOCIATION REGULATED BY THE FEDERAL FAIR CREDIT REPORTING ACT, 15 U.S.C. SEC. 1681 ET SEQ. AND COMMERCIAL LAW ARTICLE 14, SUBTITLE 12.~~**

I am happy to answer any questions you may have. I thank you in advance for your consideration.

Sincerely,



Eric J. Ellman  
Senior Vice President, Public Policy & Legal Affairs