An Act

ENROLLED HOUSE
BILL NO. 2464

By: Hill of the House

and

Paxton of the Senate

An Act relating to motor vehicles; creating the Independent Driver Classification Act; amending 47 O.S. 2021, Section 1030, which relates to exclusive jurisdiction of the Corporation Commission; requiring Transportation Network Company drivers be independent contractors if certain conditions are met; detailing certain conditions; providing for noncodification; and providing an effective date.

SUBJECT: Motor vehicles

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Independent Driver Classification Act".

SECTION 2. AMENDATORY 47 O.S. 2021, Section 1030, is amended to read as follows:

Section 1030. A. Notwithstanding any other provision of law, the regulation, licensing or permitting of transportation network companies for the provisions of prearranged rides is within the exclusive jurisdiction of the Oklahoma Corporation Commission as set forth in the Oklahoma Transportation Network Company Services Act and any rules promulgated by the Commission consistent with the act. No political subdivision of the state may impose a tax on, or require a license for, a ~~TNC~~ Transportation Network Company (TNC) or

a TNC driver for the provision of prearranged rides or subject a TNC to the political subdivision's rate requirement, entry requirement, operational requirement or other requirements.

B. All TNC drivers shall be independent contractors and not employees of the TNC if all of the following conditions are met:

1. The TNC does not prescribe specific hours during which a TNC driver must be logged into the TNC's digital network;

2. The TNC imposes no restrictions on the TNC driver's ability to utilize digital networks from other TNCs;

3. The TNC does not restrict a TNC driver from engaging in any other occupation or business; and

4. The TNC and TNC driver agree in writing that the driver is an independent contractor with respect to the TNC.

SECTION 3. This act shall become effective November 1, 2023.

Passed the House of Representatives the 13th day of March, 2023.

Presiding Officer of the House of Representatives

Passed the Senate the 18th day of April, 2023.

Brent Howard
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 19th day of April, 2023, at 3:32 o'clock p. M.

By: Summer Curry

Approved by the Governor of the State of Oklahoma this 21st day of April, 2023, at 2:58 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 21st day of April, 2023, at 4:16 o'clock P. M.

By: Brian Bingman