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SENATE BILL NO. 128

Offered January 10, 2018

Prefiled December 19, 2017

A BILL to amend and reenact § 46.2-2099.50 of the Code of Virginia, relating to TNC partner vehicles; interior trade dress.

Patron—Cosgrove_____
Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-2099.50 of the Code of Virginia is amended and reenacted as follows:****§ 46.2-2099.50. Requirements for TNC partner vehicles; trade dress issued by transportation network company.**

A. A TNC partner vehicle shall:

1. Be a personal vehicle;

2. Have a seating capacity of no more than eight persons, including the driver;

3. Be validly titled and registered in the Commonwealth or in another state;

4. Not have been issued a certificate of title, either in Virginia or in any other state, branding the vehicle as salvage, nonrepairable, rebuilt, or any equivalent classification;

5. Have a valid Virginia safety inspection or an annual inspection conducted in another state for which the Department of State Police has determined that such motor vehicle safety inspection standards adequately ensure public safety and carry proof of that inspection on or in the vehicle; and

6. Be covered under a TNC insurance policy meeting the requirements of § 46.2-2099.51 or 46.2-2099.52, as applicable.

No TNC partner shall operate a TNC partner vehicle unless that vehicle meets the requirements of this subsection.

B. Before authorizing a vehicle to be used as a TNC partner vehicle, a transportation network company shall confirm that the vehicle meets the requirements of subsection A and shall provide each TNC partner with proof of any TNC insurance policy maintained by the transportation network company.

For each TNC partner vehicle it authorizes, a transportation network company shall issue trade dress to the TNC partner associated with that vehicle. The trade dress shall be sufficient to identify the transportation network company or digital platform with which the vehicle is affiliated and shall be displayed in a manner that complies with Virginia law. The trade dress shall be of such size, shape, and color as to be readily identifiable during daylight hours from a distance of 50 feet while the vehicle is not in motion and shall be reflective, illuminated, or otherwise patently visible in darkness. The trade dress may take the form of a removable device that meets the identification and visibility requirements of this subsection.

Notwithstanding any other provision of this title, a TNC partner vehicle may be equipped with a removable illuminated interior trade dress device that assists passengers in identifying and communicating with TNC partners. The illuminated display on such device shall not exceed five candlepower and may use (i) scrolling text, (ii) images, and (iii) alternating or steady burning colors. Such illuminated display shall not utilize red, blue, or amber lights.

The transportation network company shall submit to the Department proof that the transportation network company has established the trade dress required under this subsection by filing with the Department an illustration or photograph of the trade dress.

A TNC partner shall keep the trade dress issued under this subsection visible at all times while the vehicle is being operated as a TNC partner vehicle.

No person shall operate a vehicle bearing trade dress issued under this subsection without the authorization of the transportation network company issuing the trade dress.

INTRODUCED

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