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AN ACT
RELATING TO TRANSPORTATION; AMENDING THE TRANSPORTATION
NETWORK COMPANY SERVICES ACT TO EXCLUDE ENTITIES RECEIVING
FEDERAL SUBSIDIES TO PROVIDE SERVICE UNDER THE FEDERAL OLDER
AMERICANS ACT OF 1965.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 65-7-2 NMSA 1978 (being Laws 2016,
Chapter 80, Section 2) is amended to read:

"65-7-2. DEFINITIONS.--As used in the Transportation
Network Company Services Act:

A. "digital network" means an internet-supported
application, software, program, website or system offered or
utilized by a transportation network company that enables the
prearrangement of transportation by passengers with
transportation network company drivers;

B. "personal vehicle" means a vehicle that is used
by a transportation network company driver and is:

(1) owned, leased or otherwise authorized
for use by a transportation network company driver; and

(2) not a taxicab or other vehicle for hire;

C. "prearranged ride" means transportation
provided by a transportation network company driver, which
shall be deemed to commence when a driver accepts a
transportation request through a digital network and continue

1 until all passengers have exited from the personal vehicle at
2 the destination requested by the rider. "Prearranged ride"
3 does not include shared-expense vanpool or carpool
4 arrangements or transportation provided using a taxicab,
5 limousine or other vehicle for hire pursuant to the Motor
6 Carrier Act;

7 D. "transportation network company" means a
8 corporation, partnership, sole proprietorship or other entity
9 that is licensed pursuant to the Transportation Network
10 Company Services Act and lawfully operating in New Mexico
11 that uses a digital network, but which shall not:

12 (1) be deemed to control, direct or manage
13 the personal vehicles or transportation network company
14 drivers that connect to its digital network except where
15 agreed to by written contract; or

16 (2) include any entity receiving funding to
17 supplement transportation services through Title III B of the
18 federal Older Americans Act of 1965, including any driver for
19 such an entity, but only when the driver is providing those
20 services;

21 E. "transportation network company driver" or
22 "driver" means an individual who:

23 (1) accepts a prearranged ride requested
24 through a digital network and for a fee paid by a
25 transportation network company rider to the transportation

1 network company; and

2 (2) uses a personal vehicle to provide a
3 prearranged ride through a digital network;

4 F. "transportation network company insurance"
5 means a liability insurance policy that specifically covers a
6 transportation network company driver's use of a
7 transportation network company digital network; and

8 G. "transportation network company rider" or
9 "rider" means a person who uses a digital network for a
10 prearranged ride."

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