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

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

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

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

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

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

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

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

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