

118TH CONGRESS
2D SESSION

S. _____

To require transportation network companies to provide customers notice when a driver has a camera in their motor vehicle and provide customers an opportunity to opt out of riding in motor vehicles with cameras, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BLACKBURN (for herself and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To require transportation network companies to provide customers notice when a driver has a camera in their motor vehicle and provide customers an opportunity to opt out of riding in motor vehicles with cameras, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe and Private Rides
5 Act”.

1 **SEC. 2. REQUIREMENTS FOR TRANSPORTATION NETWORK**
2 **COMPANIES PERTAINING TO CAMERAS IN**
3 **MOTOR VEHICLES.**

4 (a) REGISTERING REQUIREMENT, NOTICE AND OP-
5 PORTUNITY TO OPT OUT OF RIDING IN CARS WITH CAM-
6 ERAS, AND RESTRICTION ON USE OF PASSENGER RE-
7 CORDING.—A transportation network company shall—

8 (1) for the purpose of enabling the notification
9 described in paragraph (2), require each driver affili-
10 ated with the transportation network company to
11 register with such company any camera in the motor
12 vehicle of the driver that records video images of
13 passengers;

14 (2) notify each passenger of each camera reg-
15 istered with the transportation network company;

16 (3) develop and implement a process to address
17 any violation of the requirement under paragraph
18 (1);

19 (4) provide any customer of the transportation
20 network company with—

21 (A) a clear and prominent notice on the
22 application of the transportation network com-
23 pany when a driver affiliated with such com-
24 pany uses a motor vehicle that has a camera in
25 the motor vehicle that records video images of
26 passengers; and

1 (B) subject to the standards described in
2 subsection (b), an opportunity on such applica-
3 tion to opt out of riding in any motor vehicle
4 that has a camera in the motor vehicle that
5 records video images of passengers;

6 (5) not retain or transfer a recording of a pas-
7 senger except as necessary to report criminal activ-
8 ity, for insurance purposes, or to determine compli-
9 ance with the terms of service of a transportation
10 network company; and

11 (6) establish a mechanism by which a passenger
12 of the transportation network company may report
13 instances of being—

14 (A) recorded without being notified; or

15 (B) connected with a driver with a camera
16 in the motor vehicle that records video images
17 of passengers after such passenger opted out
18 pursuant to paragraph (4)(B).

19 (b) STANDARDS FOR THE OPPORTUNITY TO OPT
20 OUT.—For purposes of the opportunity to opt out de-
21 scribed in subsection (a)(2)(B), a transportation network
22 company shall—

23 (1) allow any customer to revoke consent to
24 ride in a motor vehicle that has a camera in such

1 vehicle through an accessible and easily navigable
2 mechanism;

3 (2) provide an option to opt out that is clearly
4 displayed in the application settings or another eas-
5 ily accessible location in that application;

6 (3) provide to a customer an opportunity to opt
7 out of riding in a motor vehicle that has a camera
8 in such vehicle that is independent from the cus-
9 tomer agreeing to the terms of service of the trans-
10 portation network company; and

11 (4) only infer a customer's decision to opt out
12 based on the customer taking a direct action that a
13 reasonable person would constitute as an affirmative
14 revocation of consent.

15 (c) LIMITATION OF LIABILITY.—No transportation
16 network company that has complied with subsections (a)
17 and (b) shall be liable for the actions of a driver affiliated
18 with such company who otherwise violates such sub-
19 sections.

20 (d) ENFORCEMENT BY THE COMMISSION.—

21 (1) UNFAIR OR DECEPTIVE ACT OR PRAC-
22 TICES.—A violation of this Act shall be treated as
23 an unfair or deceptive act or practice in violation of
24 a rule promulgated under section 18(a)(1)(B) of the

1 Federal Trade Commission Act (15 U.S.C.
2 57a(a)(1)(B)).

3 (2) POWERS OF THE COMMISSION.—

4 (A) IN GENERAL.—The Commission shall
5 enforce this Act in the same manner, by the
6 same means, and with the same jurisdiction,
7 powers, and duties as though all applicable
8 terms and provisions of the Federal Trade
9 Commission Act (15 U.S.C. 41 et seq.) were in-
10 corporated into and made a part of this section.

11 (B) PRIVILEGES AND IMMUNITIES.—Any
12 transportation network company that violates
13 this Act shall be subject to the penalties and
14 entitled to the privileges and immunities pro-
15 vided in the Federal Trade Commission Act (15
16 U.S.C. 41 et seq.).

17 (C) AUTHORITY PRESERVED.—Nothing in
18 this Act shall be construed to limit the author-
19 ity of the Commission under any other provi-
20 sion of law.

21 (e) EFFECTIVE DATE.—The requirements estab-
22 lished in this Act shall take effect on the date that is 180
23 days after the enactment of this Act.

24 (f) DEFINITIONS.—In this Act:

1 (1) COMMISSION.—The term “Commission”
2 means the Federal Trade Commission.

3 (2) MOTOR VEHICLE.—The term “motor vehi-
4 cle” means any vehicle which is manufactured pri-
5 marily for use on public streets, roads, and highways
6 (not including a vehicle operated exclusively on a rail
7 or rails) and which has at least 4 wheels.

8 (3) TRANSPORTATION NETWORK COMPANY.—

9 (A) IN GENERAL.—The term “transporta-
10 tion network company” means any entity that
11 uses a digital network to connect a customer to
12 a driver affiliated with the company in order for
13 the driver to provide transportation services
14 using a motor vehicle to the customer.

15 (B) EXCLUSIONS.—The term “transporta-
16 tion network company” does not include—

17 (i) a shared-expense carpool or van-
18 pool arrangement that is not intended to
19 generate a profit for the driver; or

20 (ii) microtransit or other dedicated
21 transportation services provided exclusively
22 on behalf of a government entity, a non-
23 profit organization, or a third-party com-
24 mercial enterprise.