

March 2, 2015

Proposed House Bill No. 6349
Legislative Transportation Committee

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AN ACT CONCERNING RIDE-SHARING COMPANIES AND DRIVERS. (TRA)

Good morning Chairman Guerrero, Chairman Maynard, and members of the Transportation Committee.

My name is Joseph Miller, I am the General Manager of the Yellow Cab Company of New London & Groton, Inc. DBA Yellow Cab Company Certificate 68 and the Waterbury Yellow Cab & Service Company, Inc. DBA Yellow Cab Company Certificate 107.

The Yellow Cab Company **supports** House Bill No. 6349, based on the dangerous consequences that allowing drivers to transport passengers without a proper background check would have on public safety. We believe that any changes to the current regulations and laws would greatly jeopardize public safety.

Connecticut General Statute 14-44 details the requirements a driver needs to transport passengers. The statute does not differentiate between the size of the company, type of company, or the method in which the driver receives the request for the passenger to be transported. There are no exceptions in the statute, if you transport passengers you have to comply with Section 14-44 of the Connecticut General Statutes.

Section 14-44-2 states that each person who transports passengers shall hold an endorsement of the appropriate type. In the case of transporting passengers in a sedan or van, that would be an "F" endorsement, allowing the driver to operate a taxi or livery vehicle.

Section 14-44-4 states that a driver who transport passengers shall not have 4 or more moving violations, shall not have a conviction in the last 5 years of section 14-227(a) (DWI), shall not have a conviction in the last 3 years of 14-222 (reckless driving), and shall not have a conviction of a serious criminal offense which adversely reflects on their moral character.

Section 14-44-5 states that each driver who transport passengers shall be required to undergo a fingerprint based Federal Bureau of Identification (FBI) criminal background check. It also requires a criminal background check be performed by the State Police Bureau of Identification (SPBI) and National Criminal Information Center (NCIC).

On January 6, 2015 Pandodaily reported that an UBER driver assaulted a passenger. The story continues to report that the UBER driver had passed their background check but had a 2009 felony conviction for selling marijuana and a 2012 felony conviction for buying cocaine to resell.

On Wednesday February 4, 2015 Nicole Benincasa of the UBER Policy Team spoke before the Connecticut Legislative Transportation Committee regarding UBER's business model. During that time Miss Benincasa stated that UBER conducts a background check of their drivers based on the driver's social security number. She did not mention what information obtained in the background check would disqualify them from driving an UBER car. Can an UBER driver have a reckless driving or DWI conviction in the last year and still drive for UBER? What criminal convictions would UBER determine were acceptable to drive but would disqualify the driver under Connecticut General Statute 14-44? UBER conducts a driver's criminal background check based on the driver's social security number because UBER has found the FBI criminal background check to be unreliable according to Miss Benincasa.

As a Connecticut State Trooper for 22 years, I prepared numerous arrest warrant and search warrant applications. I prepared numerous arrest reports. All of which relied on the criminal history background records kept by the State Police and the FBI. All of the criminal records were accepted as reliable by the prosecutors and judges of the Connecticut judicial system. It was not uncommon to find a person with numerous aliases including numerous social security numbers listed in an attempt to prevent their criminal history from being known. You can change a name or a social security number but you can't change your fingerprints.

A second part of the background check required by the State of Connecticut is a medical examination to determine if the driver is medically capable of transporting passengers for hire.

Section 14-44-1 outlines the minimum physical standards that a driver must have in order to transport a passenger for hire.

These include no loss or impairment of the use of a foot, leg, hand or arm that would interfere with the driver's ability to safely drive a vehicle. No medical history of diabetes, requiring insulin, cardiovascular disease, or respiratory dysfunction that would interfere with the driver's ability to safely drive a vehicle. No medical history of high blood pressure, muscle or vascular disease, epilepsy, or history of psychiatric disorder, that would interfere with the driver's ability to safely drive a vehicle. Eye sight, the ability to recognize colors of traffic signals, and hearing are also checked. No history of amphetamine, narcotic, or habit forming drug use, and no diagnosis of alcoholism.

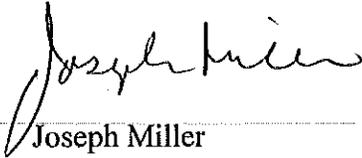
These physical standard requirements are an equally important part of the driver background check required to be performed by the State of Connecticut before a driver is allowed by law to transport a passenger for hire.

In her remarks on February 4, 2015, Nicole Benincasa did not address or offer any information concerning the physical standards UBER drivers must meet, if any, to ensure the safety of the

citizens of Connecticut. We did learn that UBER conducts criminal background checks like you would a credit check, and you can't trust the FBI.

The purpose of section 14-44 is to keep riders safe. Not requiring UBER drivers to meet the standards of section 14-44 places the citizens of Connecticut at risk.

Thank you for your time and allowing me to testify in support of Proposed House Bill 6349.



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Attachment: Connecticut General Statute 14-44-1 to 14-44-7 inclusive
Pandodaily article UBER driver accused of assault