

International Rideshare Policy Evolution: A Media Analysis

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EXECUTIVE SUMMARY

This purpose of this study was to gain an understanding of where Uber has been regulated and what regulatory requirements were put in place. This analysis is part of a larger CIHR-funded study that is focused on understanding the work of ride-sharing services, such as Uber, how this work affects the health and safety of drivers and passengers, and what policy solutions exist to address these health and safety risks¹. Accordingly, our main research question was: In what jurisdictions has Uber been regulated, and what were the regulatory requirements?

To address our main question, we also examined the following questions:


- At what level is Uber governed (e.g. federal, state or municipal)?
- What is the timeline of Uber's presence in each jurisdiction?
- What role did safety, health, insurance and fair competition play in the regulative process?

A news media analysis was conducted to address these questions. This allowed us to focus not only in new policies and regulations that were developed, but also on political and economic stances (or various stakeholders) and processes that underlay these decisions. News articles also allowed for a grasp of the timeline of development of ride-share policies. Our search focused on high income countries, as conditions in these countries are similar to those in Canada. The search focused on Uber as this was the ridesharing service with the strongest international presence and profile and was the main rideshare service present in Canada at the time of analysis.

A systematic approach of newspaper articles about 33 high income countries occurred between January 2018 and June 2018. Google was the primary search engine. Search terms included terms such as "Uber policy" and "Uber court cases".

A chronological summary of policy developments was created for each jurisdiction. As well, a timeline of regulatory change across jurisdictions was created. For instance, Colorado, USA was the first jurisdiction in the USA to legally allow Uber to operate in 2014 and Uber returned to Spain only in 2018, following a 3-year suspension. We documented the level at which rideshare services were regulated. For instance, in Europe this was usually at the country level while in USA, Australia and Canada it was at the state or municipal level. We also tracked jurisdictions that changed the level of regulation in response to the entry into the marketplace of rideshare organisations. For instance, Manitoba moved from provincial-level regulation to municipal level. We were interested in knowing about jurisdictions where Uber had pulled out or threatened to pull out and why. Uber opposed regulations and threatened to pull out or pulled

• ¹ MacEachen, E., Saunders, R., Bigelow, P., Meyer, S, Kosny, A. *The new 'sharing economy' and Uber: A developmental evaluation of emergent conditions for occupational health risk and regulation. CIHR Projects Grant 2016-2019.*



out of Calgary, Quebec, Denmark and Norway. Issues at stake included Uber opposition to driver training, finger print checks, video surveillance cameras, and taxation.

We investigated four specific reasons for regulatory restrictions on Uber and rideshare services: safety, insurance, health, and fair competition. Of these, safety was the most persistent regulatory issue—topics included driver background checks, training and public safety. Health topics included medical certificates and driver health. Driver and fleet insurance was the second most prominent of the 4 themes, and fair competition was also a key theme. This included deregulation of the taxi sector and compensation to taxis for lost business.

A goal of this report was to provide information to support decision-makers considering future regulatory changes with respect to rideshare regulation. The various examples presented in this report may assist regulating bodies to consider regulative options.

INTRODUCTION

This purpose of this study was to gain an understanding of where Uber has been regulated and what regulatory requirements were put in place. This analysis is part of a larger CIHR-funded study that is focused on understanding the work of ride-sharing services, such as Uber, how this work affects the health and safety of drivers and passengers, and what policy solutions exist to address these health and safety risks². Accordingly, our main research question was: In what jurisdictions has Uber been regulated, and what were the regulatory requirements?

To address our main question, we also examined the following questions:

- At what level is Uber governed (e.g. federal, state or municipal)?
- What is the timeline of Uber's presence in each jurisdiction?
- What role did safety, health, insurance and fair competition play in the regulative process?

We focused on the level of governance in order to be able to examine how types of concessions may be shaped by who is being asked to make concessions. The timeline was important to include because, for instance, in many jurisdictions, Uber was at first banned, but later after various regulatory changes Uber was deemed legal and allowed to operate. Regulatory changes included but were not limited to: deregulation of the taxi industry and regulating Uber, all which were an attempt to even the competitive 'playing field' between taxi drivers and Uber drivers.

Our focus for this analysis was on Uber rather than other rideshare companies because at the start of this analysis Uber was the only known rideshare organisation operating in Canada. Also, it is the first rideshare company to enter many other countries and so is the trailblazer example for rideshare regulation.

The main purpose of the research question and this analysis was to examine where there have been changes to Uber regulations and the jurisdictional level in which these changes took place. This report provides case studies that can be used as frameworks for future regulatory changes.

METHODOLOGY

A systematic search of media documents was conducted between January 5th and June 16th, 2018. Uber presence in 33 high income countries was examined. Key words were developed and modified throughout the search span to meet the needs of the research questions. The key words that were used to carry out this search are in Table 1.

• ² MacEachen, E., Saunders, R., Bigelow, P., Meyer, S, Kosny, A, Reid-Musson, E. *The new 'sharing economy' and Uber: A developmental evaluation of emergent conditions for occupational health risk and regulation.* CIHR Projects Grant 2016-2019.

Table 1: Search terms

Uber policy	Uber status
International Uber policies	Current Uber legislation in (country)
Uber OHS	When did Uber become legal in (country)?
New policies Uber 2018	Why is Uber illegal in (country)?
Uber court cases	Uber policies in (country)?
What happened Uber (country)?	Uber concessions

Using Google as our primary search engine, these key words yielded news articles and, among those, reputable articles were picked. Reputable articles were those from known news media sources, such as the New York Times. Due to the abundance of media sources, news data that was gathered was verified against multiple new sources in order to ensure that the sources and the data being collected were accurate.

Data extraction from the articles involved reading the article, and then extracting content related to the main research question and the sub-questions. A set of data codes, which can be seen in Table 2, also assisted the process of extracting relevant data as it served as a reminder to our overarching analytic goal. Gathered data were organized by country and jurisdiction status with the help of NVivo data management system.

Table 2: Data extraction codes

Code	Description
Insurance	Uber related insurance policies and claims
Health and Safety	Uber related health and safety concerns outside the realm of passengers and drivers
Banned	Countries in which Uber has been banned
Uber Concessions	Changes to Uber as a result of rules and regulations in a jurisdiction, e.g. driver training required
Country Level	Where rideshare policy is enacted at a national level
State/Provincial Level	Where rideshare policy is enacted at a subnational level (e.g. provinces in Canada, states in the U.S.)
Jurisdiction – Other	Where rideshare policy is enacted at a municipal/regional or supra-national level, e.g. EU.
Passenger Safety and Health	Health and safety concerns in relation to passengers
Driver Safety and Health	Health and safety concerns in relation to drivers
Uber Legal	Jurisdictions where Uber has been legalised
Finance	Income, taxes, etc.

The analysis has several limitations. Our search was limited to news articles published in English, and to high income countries. We sought information that could provide a good comparison point for Canada. A further limitation relates to the relevance of data collected as this is a fast changing industry and no data was collected after June 16th, 2018. Recent rideshare

regulations such as New York City's new ride-hail license rules thus fall outside the scope of our analysis but are nonetheless important.

NEWS ANALYSIS RATIONALE

Our approach to addressing our research question was to conduct a news analysis. Rather than choosing to collect data from official policy and court documents, we made the decision to gather data from publicly available media sources in high income countries. This decision was made due to many reasons, some of which are explained in further details below.

At the beginning of our search, we kept our options open and searched all forms of sources including official government documents. However, it was difficult to find coherent, detailed official documents that tracked the changes of Uber policies within that country. Although official documents provided ample detail regarding the current regulation, it was hard to identify the procedures and processes that went behind these decisions. Going back to our research question, it is evident that our focus was on the policy concessions that took place and how these changes affected the taxi and rideshare industry in that country. News articles allowed us to get a better grasp of the timeline of Uber. With news articles, we were also able to track the political and economic environment of these countries. For instance, in the Northern Territory, Australia, we were able to see news articles that reflected the upcoming election and how Uber legalization played a role in the platforms of various political parties. This richness in data that was found in media sources allowed us to create a comprehensive summary that illustrates the time line of Uber regulation in all 33 countries. One of the other benefits that we gained from using media sources was that our data shed light on the multiple stakeholders and their perspectives in regard to Uber. Concepts such as debates, pro and con arguments and even names of key public figures in respect to Uber were identified via the media sources.

NEWS AND THEME ANALYSIS FINDINGS

Our main analytic focus was on the jurisdictions in which Uber had been regulated. This was important to our research question, as we wanted to examine how Uber transitioned from being illegal to legal in most parts of the world and what policies were created to allow Uber to become a legal transportation service. Appendix 1 to 4 provide detailed summaries of all extracted news items for each jurisdiction, and Appendix 5 describes all of the news sources. Table 3 summarizes the significant regulatory changes that took place in the 33 jurisdictions that were examined. The specific policies created to legalise Uber are explored in-depth in the following sections. Further, we identified four key themes that were related to the policy conditions faced by Uber: i) changes in the jurisdictional level, ii) Uber pulling out or threatening to put out of a jurisdiction, iii) deregulation of the taxi industry, and iv) jurisdictions where there is currently no legal Uber presence.

INTERNATIONAL TIMELINE OF REGULATORY CHANGES

Table 3: Significant regulatory changes across jurisdictions over time

Jurisdiction	Newspaper Reporting Date ³	Regulatory Changes
Colorado	June 5 th , 2014	Colorado became the first state in the country to legislatively authorize ridesharing services with SB125 officially authorizes the services provided by Transportation Network Companies (TNCs), under limited state regulation.
Minneapolis (Minnesota)	July 18 th , 2014	Minneapolis approves Uber and Lyft with council members taking a lead role in revamping rules to account for car-for-hire services which have been operating illegally for the past year in Minneapolis.
France	December 15 th , 2014	The French government announced that the company's lower priced UberPop service would be banned on January 1 st . The French Interior Minister, said the new legislation called the Thévenoud Law- which requires all drivers who chauffeur paying passengers to have a license and appropriate insurance- would form the basis of the ban, UberPop does not meet the licensing requirement.
Germany	March 18 th , 2015	Uber has been banned from running services using unlicensed cab drivers by a German court.
Italy	May 26 th , 2015	A judge in Milan has shut the door on Uber's ridesharing business in Italy, The ruling states that UberPop creates "unfair competition" and effectively holds the company to the same standard as a public taxi service.
Nevada	May 30 th , 2015	The Governor signed two bills to regulate ridesharing companies: AB175 and AB176
Australian Capital Territory	October 30 th , 2015	The ACT government passed legislation to allow rideshare services, like Uber, to operate in the territory.
New South Wales	December 17 th , 2015	Ridesharing services was declared legal in New South Wales, making it the second jurisdiction to

³ The newspaper reporting data was usually within a few days of the legal change, but this time connection has not been verified for the table.

		legalize such services. The State premier said taxi license plate owners would receive unspecified compensation that would be funded jointly by the New South Wales government and a short-term levy on Uber's service.
Western Australia	December 18 th , 2015	Western Australia will join NSW and ACT in legalizing Uber, with the Barnett government announcing it will establish a multimillion-dollar compensation fund for traditional taxi owners.
Calgary	February 22 nd , 2016	City council approved a new bylaw that opens the door for ridesharing services.
Edmonton	April 5 th , 2016	Edmonton's city council is the first in Canada to pass a vehicle-for-hire bylaw that will legalize ridesharing companies in Edmonton.
South Australia	April 12 th , 2016	The South Australian government announced new rules today to legalize Uber and other rideshare services. As part of the new changes, the state's 1137 taxi license plate holders will receive \$30,000 by the state government, funded by an extra \$1 levy on all taxi and rideshare fares. Taxi fares will increase across the board from July 1 st , as well as a further 20% tariff on Friday and Saturday nights. Rules have also been relaxed around what cars can be used as cabs.
Toronto	May 3 rd , 2016	City council decided that Toronto will allow UberX to operate legally in the city while also cutting regulations for taxis.
Quebec	June 10 th , 2016	Bill 100, which would regulate ridesharing services such as Uber, was passed.
Sweden	December 1 st , 2016	Sweden proposed rule changes for its taxis that may help ridesharing services like Uber in the long term but also recommended that profit-making ridesharing should be illegal.
Demark	December 13 th , 2016	Denmark's new right-wing government will allow Uber to continue operating under new rules in order to encourage more competition among taxis.
Michigan	March 21 st , 2017	Uber and similar rideshare businesses will now be state regulated according to the Limousine, Taxicab and Transportation Network Company Act (PA 345). The authority to regulate these ride services is under LARA's Corporations, Securities and Commercial Licensing Bureau.

Northern Territory	April 28 th , 2017	Ridesharing company Uber has said it will not go ahead with. Plans to launch in the Northern Territory under the Government's new regulatory model announced today.
Texas (Austin)	May 25 th , 2017	The state, rather than the local city governments, is now responsible for regulating the ridesharing industry.
Alaska	June 16 th , 2017	The Governor signed House Bill 132, which will allow TNCs to operate in Alaska.
New Hampshire	June 23 rd , 2017	The Governor signed into law new statewide regulations for ridesharing companies like Uber.
Victoria	June 23 rd , 2017	The Victorian Government has reached an agreement with the Greens and the Sex Party on a bill to legalize ridesharing services such as Uber. Taxi and Uber users will be slugged an extra \$1 per trip. The ridesharing regulations include a \$494 million package to provide compensation and transition funding, for taxi and hire care license holders.
New York	June 29 th , 2017	Legislation signed by the Governor went into effect on June 29 th allowing Uber and other rideshare services to operate in the entire state as opposed to only in New York City.
Finland	July 7 th , 2017	Uber has given in to regulatory pressure in Finland, and is suspending its UberPOP until that country implements limited taxi deregulation next year.
Tasmania	September 15 th , 2017	Uber now operates legally in Tasmania with the passing of the Taxi and Hire Vehicle Industries and Amendment bill 2016.
New Zealand	October 1 st , 2017	Uber will begin to operate legally in New Zealand in accordance to the Land Transport Amendment Bill
Queensland	October 1 st , 2017	Ridesharing operators and drivers, such as Uber, will need licenses to offer their services in Queensland under new regulations. The eligibility tests for drivers and booking entities will be the same for all those offering personalized transport. Ridesharing drivers must have a license by January 15 th , while anyone who arranges bookings for such a service must have a permit by December 1 st .

United Kingdom (London)	October 1 st , 2017	If Uber fails to renew its license, Uber will be banned in London although it continues to operate in other cities and regions of the UK.
California	October 13 th , 2017	Under the new law, Senate Bill 182, drivers will obtain a single business license that will make them eligible to transport passengers across the state.
British Columbia	October 16 th , 2017	British Columbia plans to allow ridesharing companies such as Lyft and Uber into the provincial market next fall, but only after the existing taxi industry is modernized.
Winnipeg	November 10 th , 2017	Bill 30 will dissolve the Manitoba Taxicab Board and give the board's authority to local municipalities, which could develop by-laws to allow for ridesharing companies like Uber.
Norway	February 17 th , 2018	The Ministry of Transport and Communications is working on changes to the regulatory framework for the taxi market to allow Uber to come back to Norway.
Spain	March 13 th , 2018	Uber is back in Barcelona with 120 professional drivers after it was forced out three years ago over the suspension of its service that enables unregulated drivers to ferry passengers for money using their own cars.

CHANGES IN JURISDICTIONAL LEVEL

Uber regulation was classified as country-level, state/provincial level or municipal level to determine the level of government responsible for regulating Transportation Network Companies (TNCs) in high income countries.

Table 5: Level of regulation in each jurisdiction

Jurisdictions	Jurisdictional Level
Denmark	Country
Finland	Country
France	Country
Italy	Country
New Zealand	Country
Norway	Country
Sweden	Country
Spain	Country
Germany	Country

Australian Capital Territory	State/ Provincial
New South Wales	State/ Provincial
Northern Territory	State/ Provincial
Queensland	State/ Provincial
South Australia	State/ Provincial
Tasmania	State/ Provincial
Victoria	State/ Provincial
Western Australia	State/ Provincial
Quebec	State/ Provincial
British Columbia	State/ Provincial
Colorado	State/ Provincial
Michigan	State/ Provincial
Nevada	State/ Provincial
Alaska	<i>State/ Provincial (previously municipal)</i>
New Hampshire	<i>State/ Provincial (previously municipal)</i>
Texas (Austin)	<i>State/ Provincial (previously municipal)</i>
Calgary	Municipal
Edmonton	Municipal
Toronto	Municipal
London	Municipal
Minneapolis (Minnesota)	Municipal
Winnipeg	<i>Municipal (previously provincial)</i>
California	Municipal/ State
New York	Municipal/ State

As seen in Table 5, most European countries regulated TNCs at a country-level with the United Kingdom being the only country examined to show municipal-level regulatory changes regarding Uber in London. Australia was primarily regulated at the state-level with each independent state making concessions and regulatory changes according to the elected government at that period of time. United States saw state-level regulatory changes as well. In Canada, however, regulations were at the municipal level with the exception of Quebec and British Columbia.

While these different jurisdictional levels of regulation among and within various countries were interesting to examine, what caught our attention were the outliers where jurisdictional changes took place. In these outliers, we saw upregulation and deregulation take place regarding the level of government that was responsible for regulating TNCs. The four outlier cases: Austin (Texas), New Hampshire, Alaska and Winnipeg are discussed in depth below.

In Austin, Texas the ridesharing industry was originally regulated at the municipal level. In late 2016, Uber left the ridesharing industry in Austin as a result of regulatory requirements in which the government required fingerprint and background checks on all prospective and current drivers. In May 2017, Uber’s presence was restored in Austin and there was

upregulation in the jurisdictional level in which the ridesharing industry was regulated. Texas, the state, was now responsible for regulating the ridesharing industry as opposed to the municipal governments. The state-level regulations require the ridesharing industry to conduct local, state and national-level criminal background checks but fingerprints are no longer a requirement.

Up until June 2016, New Hampshire did not regulate its taxi industry at the state level. The state defined what a “taxicab service” was and left the regulatory decisions at the municipal level. As a result, public and municipal government regulation with respect to Uber varied, city to city. For instance, in New Hampshire, Uber has been operating legally since early 2015, and the only requirement for the service was that Uber drivers were to register with the city. On the other hand, in Manchester, New Hampshire, there were prolonged debates concerning Uber regulation, with the municipal government demanding that Uber conduct private driver checks and that drivers pass State background checks. In December 2015, Portsmouth, New Hampshire, took regulation a step further and required all drivers (taxi and Uber) to provide background checks and proof of commercial personal injury and property damage liability insurance. With these regulatory changes, Portsmouth also eliminated the taxi commission, allowing Uber and taxis to operate on the same platform in the city. On June 23rd, 2016, Governor Maggie Hassan signed into law new statewide regulations for Uber and similar ridesharing companies. These new laws required ridesharing companies to conduct background checks, for drivers to be commercially insured while on the system and a payment of \$500 to register with the state. The state law supersedes the laws that were passed by the municipal governments regarding ridesharing companies in the past.

In March 2015, Uber pulled out of Anchorage, Alaska after operating for six months. This came as a result of Uber not being able to reach an agreement to legally operate with the Municipality of Anchorage. Governor Bill Walker signed a House Bill 132 on June 16th, 2017 which allowed TNCs to legally operate in Alaska. With the new bill, the municipalities no longer had the authority to regulate TNCs on a municipal level. The law also required TNCs to conduct local and national background checks for Uber drivers although the state has no oversight in ensuring Uber actually conducts these checks.

While the previously mentioned jurisdictions all up-regulated from municipal to state level regulations, in Winnipeg there was a deregulation from provincial to municipal level. In December 2014, Manitoba’s Taxicab Act stated that no person can operate a taxicab without a license and anyone driving for the taxi alternative service or Uber would be doing so illegally. However, in late 2017, Bill 30 dissolved the Manitoba Taxicab Board and gave the board’s authority to local municipalities. Municipal governments, would then be able to develop by-laws to allow Uber and other ridesharing companies in their jurisdiction. As of March 2018, ridesharing companies such as Uber and Lyft, were able to operate alongside taxis in Winnipeg as long as the ridesharing drivers undergo the same criminal background checks and vehicle-safety certifications that are required by taxi drivers. However, they are not required to install shields, although that regulation remains for taxi drivers. They also may not pick up passengers who hail them on the street or accept cash as payment.

WHERE UBER PULLED OUT OR THREATENED TO PULL OUT

While it is not uncommon for governments to oppose Uber, there were certain cases in which Uber opposed the regulations presented by the government and pulled out of these jurisdictions. Calgary (Alberta), Quebec, Northern Territory (Australia), Denmark, Norway and Austin (Texas) present interesting cases in which some jurisdictions revisited their regulations, negotiated with Uber and worked towards a compromise while other regulations remained firm for Uber.

An injunction approved by a Calgary judge in November 2015 resulted in Uber having to pull out of Calgary. This was due to the decision made by city council that Uber would not be allowed to operate in the city until the bylaws were updated to regulate ridesharing services with priority being placed on concerns such as: safety, insurance and regulatory requirements. Although Uber was allowed to operate in Calgary legally as of February 22nd, 2016, Uber refused to resume operations due to city council not amending the new bylaw to meet their demands. Uber's general manager, at that time, claimed that the new bylaws had minimal changes and that requirements such as the \$220 annual driver licensing fee, background checks and vehicle inspections were "unworkable" for their drivers". While the council refused to change the licensing fee and background check requirements, they did loosen the requirements for vehicle inspections from every six months to one per year unless the vehicle had exceeded 50,000 km of total travel in the previous year. However, Uber was aiming for a fee format, similar to the one implemented in Edmonton, where the company pays an annual lump sum of \$50,000 to the city. Uber's general manager said that such a fee format makes more sense as part time drivers, who drive less than 10 hours per week, would find it less ideal to pay \$220 per year for their license. Finally in late November of 2016, council members approved amendments to the Livery Transport Bylaw which changes the application process for drivers that fall under TNC's and offers an alternative system for licensing fees. The bylaw amendments are considered to be a pilot study and will be reviewed in 2018.

In June 2016, Quebec passed Bill 100 which makes driving for Uber without a taxi permit illegal. However, Uber was given 90 days to come up with a pilot project before the law went into effect. As a result, in October 2016, a one-year pilot project began in Quebec, in which Uber was allowed to operate legally via an intermediate permit that was issued by the Quebec Transport Commission. With the one-year pilot project coming to an end, in late September 2017, Quebec announced new regulations which require Uber drivers to undergo 35 hours of training similar to traditional taxi drivers, who previously had to undergo 150 hours of training. Even with Uber delivering an ultimatum saying that it will stop operating in Quebec after its permit expired, the government did not budge from the new regulations. However, the Quebec government did decide to give Uber drivers more time to complete the required background checks – with current Uber drivers being given two years and new drivers being given eight months to submit the police background checks.

While the Northern Territory Government announced a new regulatory model on April 2017 to allow ridesharing into the state, Uber said that it will not be going ahead with the plans to launch in the state. According to Uber, the new regulatory model puts forward costly fees and presents barriers to their drivers, especially those who use the app as a form of additional income. However, the Minister for Infrastructure, Planning and Logistics stated that the new regulations was “a very fair plan to create a level playing field for new entrants and existing players.” Uber’s spokesman said that Uber is still interested in entering the Northern Territory market and is hoping to continue negotiations with the government until a compromise is reached.

In early December of 2016, Denmark’s newly elected right-wing government allowed Uber to continue operating in the country under new rules as a way to encourage competition among taxis. However, a new taxi law passed by the Danish government in early 2017 resulted in Uber pulling out of Denmark on April 18th, 2017. Uber claimed that the new law which requires mandatory fares meters, video surveillance and seat sensors is hard for the company to comply with because Uber relies on drivers using their own vehicles, as opposed to traditional taxi cabs which already have the required technology.

In June 2017, Uber delivered an ultimatum to the Norwegian government as a result of the dispute over the company’s legality across the public sector. Claiming that their drivers have faced harassment by the police and have had their vehicles confiscated, Uber stated that it was considering leaving Norway altogether. The company reached out to the Norwegian Minister of Transport with four solutions to the existing issues which involved an automatic reporting system that connects Uber and Norwegian tax authorities, agreements with pension and insurance stakeholders, provision of licenses to Uber drivers and fundamentally functioning only in the urban areas where there is competition for their services. However seeing no changes being made, Uber made the decision to suspend its unlicensed service UberPOP in Oslo in October 2017, stating that the suspension will last until Norway introduced a new regulatory framework. As of early 2018, the Ministry of Transport and Communications is working on making changes to existing regulatory framework for the taxi market hinting at the possibility that Uber may be able to return to Norway.

In 2015, in Texas, the taxi industry was regulated at the municipal level. During this time, the city of Austin brought in the requirement that Uber drivers must submit to finger-based background checks. As a result, Uber announced that they would no longer be providing their services in the city. In May 2017, regulatory level changes took place in which the state as opposed to the local city governments was responsible for regulating the ridesharing industry and as a result Uber returned to the Austin market.

JURISDICTIONS WHERE UBER IS BANNED OR AWAITING REGULATORY APPROVAL

Having explored jurisdictions in which Uber made the transition from being banned to legal, we examined jurisdictions in which there currently is no Uber presence. Out of the 33 jurisdictions that were examined, only four currently have no Uber presence as a result of either regulatory

changes that are currently in progress or pre-existing bans that the jurisdictions have stood by. These four jurisdictions are: Germany, Finland, London (United Kingdom) and British Columbia. This analysis of jurisdictions where Uber pulled out or threatened to pull out shows that the more demanding regulations existed in jurisdictions where rideshare was regulated at the country or state level, or for a very large city such as London (UK).

In March 2015, Uber was banned by a German court prohibiting the use of unlicensed cab drivers and stiff fines were set for any violations of local transport laws. As a result of this ban, Uber retreated from Berlin and Munich while suspending its services in Hamburg, Frankfurt and Dusseldorf. UberX and UberBlack, in which drivers hold passenger transport licences, continued to run services in Germany. In May 2017, Germany's highest court ruled that UberBlack had violated Germany's competition laws, stating that UberBlack had infringed the law by assigning rides to drivers and rental car companies from their headquarters in Amsterdam. The German law requires that ride requests be made through sedan companies as opposed to by the drivers directly. The case has been referred to the European Court of Justice and is expected to take at least a year before a final decision can be made. In the meantime, Uber's chief executive stated at the beginning of 2018 that Uber plans to make a fresh start in Germany and avoid the pirate mentality with which they initially entered Germany. Uber has been continuing to invest in Germany and has been cooperating with regulators, municipalities, public transport providers and car makers to help solve issues such as congestion and pollution. For instance, in June 2018, Uber launched an electric bike-sharing program in Germany in an effort to repair its relationship with Germany and the other European governments.

From 2015, Uber has been deemed illegal in Finland with Uber drivers who are caught without a taxi driver's license receiving fines and having their earnings confiscated. In July of 2017, Uber finally gave in to the regulatory pressure of Finland and suspended its UberPop services. While UberBlack, which operates with licensed drivers, will continue to operate, UberPop will remain suspended until new taxi regulations are introduced in Finland in 2018. In early 2018, the Finnish government began deregulating the taxi transportation with the market moving from limited taxi licenses to no arbitrary limits on the number of available taxi licenses. With such deregulations taking place in this industry, the Uber country manager confirmed that Uber will be returning to the Finnish market as soon as possible.

On September 22nd, 2017, Transport for London announced that it would not renew Uber's license which was to expire at the end of the month due to the fact that Uber was declared to be not "fit and proper" to hold a private hire license operator. Transport for London stated that Uber, "demonstrates a lack of corporate responsibility in relation to a number of issues which have potential public safety and security implications." Uber's approach to reporting serious criminal offences, obtaining medical certifications and Enhanced Disclosure and Barring Service (DBS) checks were all used as reasons to support this claim. Although Uber appealed this ban, it will not be heard in court until the end of April 2018 at the earliest. Even if Uber's appeal was to be successful, Uber could still be hit with tough regulations under proposals from Transport for London that were mentioned on February 15th, 2018. The proposal includes options such as clearly outlined procedures for reporting offences, greater data sharing and "women-only"

rides. It also includes suggestions for improving the way customer data is dealt with and how complaints are handled. Employee working conditions are also mentioned in this proposal, such as “reasonable working hours including appropriate breaks for drivers throughout their shift.” Proposals to improve employee working conditions align with Uber’s 10 hours cap for drivers that it recently introduced.

When Uber entered the British Columbia market in 2012, it was effectively shut down in Vancouver by the B.C Passenger Transportation Board, which compelled the rides arranged by Uber to be charged a minimum of \$75 a trip. In October 2014, the Vancouver city council made the decision to keep ridesharing applications such as Uber out of the industry for another couple of months as they researched the impact of these applications on the taxi industry. In late 2017, the Minister of Transportation and Infrastructure stated that British Columbia plans to allow ridesharing companies into the market by next fall in order to meet consumer demand while also protecting the safety of passengers and the jobs of taxi drivers. On January 8th, 2018, the B.C Taxi Association stated that it had created an application to meet consumer demand in the market, rendering no need for ridesharing services. However, Uber spokesman said that their app has already been accessed by many consumers in the search for such a service. A report recommending legalisation of Uber was put out by an all-party committee in February 2018, alongside a poll that found that more than half of B.C’s residents strongly supported ridesharing services due to its affordability and convenience.

REASONS FOR REGULATORY RESTRICTIONS

We were interested in reasons provided for regulatory restrictions placed on Uber in the jurisdictions covered, in particular those related to health and safety. Accordingly, the media articles were analysed for their focus on: insurance, safety, health, and fair competition, as seen in Table 4. Further information about policy in each jurisdiction can be found in Appendices 1-4.

Table 4: Reasons for regulatory restrictions

Jurisdiction	Safety	Health	Insurance	Fair Competition
Alaska	X		X	
Austin (Texas)	X			
Australian Capital Territory	X		X	X
British Columbia	X		X	X
Calgary	X		X	X
California	X		X	X
Colorado	X	X	X	
Denmark		X		X
Edmonton	X		X	
European Court of Justice	X			X
Finland				
France	X		X	X

Germany	X			X
Italy				X
Michigan	X		X	
Minneapolis (Minnesota)	X		X	
Nevada			X	
New Hampshire	X		X	
New South Wales	X	X	X	X
New York	X		X	
New Zealand	X		X	X
Northern Territory	X			X
Norway			X	X
Quebec	X			X
Queensland	X		X	
South Australia			X	X
Spain			X	X
Sweden				
Tasmania			X	
Toronto	X		X	
United Kingdom (London)	X			X
Victoria		X		X
Western Australia	X		X	X
Winnipeg	X			X

Safety

Safety was the most persistent regulatory issue in media articles for the majority of jurisdictions. Safety concerns included but were not limited to driver background checks and training. Changing regulatory frameworks to maintain public safety was the main concern in certain jurisdictions while others cited safety as the reason to ban Uber from their jurisdiction. For instance, in **Calgary**, Uber drivers were not allowed to operate until updates were made to the bylaws to allow for safety regulations in ridesharing services such as background checks and vehicle inspections. Similarly, the Minister of Transportation for **British Columbia** stated in March 2017, how public safety, which includes appropriate driver screening, insurance and vehicle inspections, are paramount and that it will take time to create a regulatory system that protects the safety of passengers while also meeting customer demands and saving the jobs of taxi drivers. Officials in **Edmonton**, with the legalization of Uber in March 2017, also stated how their goal is to meet consumer demands while maintaining public safety. In contrast, a **Berlin** court banned UberPop service November 2015, on the grounds of passenger safety.

Background checks and training were the ways in which safety was enforced in most jurisdictions. In most cases, Uber agreed to these safety standards but in some cases it refused. This was seen in **Austin, Texas**, where Uber pulled out of Austin in late 2016 due to legislations that stated that Uber would have to conduct both fingerprint and background checks on all

existing and new drivers. In May 2017, when regulations changed and only required local, state and national criminal background checks, Uber returned to the Texas market. Likewise, Uber also pulled out of the **Danish** market April 2017, after the government passed a new law with requirements including seat sensors, video surveillance and fare meters. In September 2017, when **Quebec** announced regulations that required Uber drivers to undergo 35 hours of training and background checks, Uber threatened to stop operating in Quebec. However, Quebec did not alter the regulations but gave Uber more time to complete the background checks – with existing drivers having two years from their previous background check and new drivers having eight months to submit their background checks.

Although some jurisdictions have prioritized safety, there are still certain problems with these safety standards. In **Alaska**, for example, current legislation requires drivers to undergo local and national criminal background checks when they apply to be drivers as well as be cross checked with the national sex offender database. However, there is no actual procedure in place for the state to oversee whether businesses such as Uber are conducting these safety checks. **Colorado** requires drivers to perform the same criminal background checks performed by taxi drivers. However, in November 2017, the Colorado Public Utilities Commission found violations of background checks, which Uber stated was an error in its processes. Violations included licenses provided to 12 drivers with felony convictions, 17 drivers with major moving-vehicle violations and 3 drivers with recent drinking and driving incidents. Uber was also found to have failed to identify a number of aliases used by their drivers, including that of a driver who was a convicted felon and had escaped from the Colorado Department of Corrections. A similar incident occurred in 2014 in **California**, which resulted in Uber and Lyft being sued by San Francisco and Los Angeles's district attorneys for misleading customers about driver safety and background checks. It was found that 25 individuals with prior convictions for murder, assault, sexual offences and child abuse had been cleared by Uber's background check. As a consequence, legislation changes in 2017 included annual background checks and forbade ridesharing industries from hiring drivers who are registered sex offenders, have been caught driving under the influence of alcohol and/or have prior violent misdemeanors in the last seven years. Fines of up to \$5000 per driver were also put into place to enforce these regulations.

Health

Although our goal was to identify the health and safety concerns of Uber, we did not yield as many findings for health concerns as we did for safety concerns. **Denmark** addressed health in December 2016 by including in their proposal of criteria for Uber drivers that they must be in good health. **Colorado** had temporary rules put into place until January 2015 in which driver health exams were required but as of late January 2015 whether they should become permanent rules were still being debated. **London**, however, used health as one of the reasons for why Uber was banned in the city in September 2017. In Transport for London's announcement as to why they would not be renewing Uber's license, they stated Uber's approach to obtaining medical certificates as one of the reasons why Uber was not "fit and proper" to obtain a private hire operate license. To operate as a taxi or private hire driver in

London, drivers must complete a medical certificate to prove that they are physically and mentally fit for the job.

Insurance

The second most prominent theme in our data set was the concern of whether Uber was properly insured. Various forms of insurance were mentioned, including: commercial insurance, employee insurance, property damage liability insurance, third party insurance, omnibus license and private vehicle insurance. While the type of insurance required varied, insurance was mentioned as one of the regulations that were expected of Uber in the process of legalization in most jurisdictions. For instance, in **Western Australia**, the state government introduced a law in February 2017 in which Uber drivers were required to have an omnibus license along with a commercial third party vehicle insurance and private vehicle insurance. The Department of Transport took to radio stations to warn drivers that, without the proper insurance coverages, they would not only be driving legally, and will face financial ruin if they were to be involved in an accident or cause an injury.

Insurance was a grey area when it came to regulations as there is a controversial gap period, which was defined as the period of time during which drivers are soliciting for fares but have not been matched with riders. This gap in insurance was recognized in December 2013, when a six year old child was struck and killed at a crosswalk by an Uber driver who was soliciting for fares in **San Francisco**, and it led to a lawsuit against Uber focused on insurance liability. California, as a result, became the first state to pass regulations that required Uber to provide its drivers with “\$50,000 in death and insurance liability coverage, \$100,000 in total coverage, and \$30,000 in property damage, along with an additional \$200,000 in excess liability coverage.”

In Colorado, the gaps in insurance coverage were regulated in April 2014 by requiring drivers to have primary insurance to cover the controversial gap period, and the commercial coverage will start when the driver becomes matched with a ride. Similarly, in **New York**, in April 2017, all drivers were required to have a minimum insurance of \$75,000 per person for death and bodily injury, \$150,000 per occurrence for death and bodily injury and \$25,000 for property damage for their cars while soliciting for fares. In New York, When the Uber driver has accepted a passenger, insurance requirements change to \$1.25 million in liability insurance and \$1.25 million in supplementary uninsured motorist coverage.

Fair Competition

One way that jurisdictions have dealt with both Uber presence and their existing taxi industry has been by attempting to level the playing field between the two services and creating fair competition. This was done in many ways, such as deregulation to the taxi industry, creating a new governing body for both services, and the implementation of levy and surcharges.

Deregulation of the taxi industry included changes to training programs, reduced costs of licensing and increasing the regulations of Uber. In **Toronto**, these changes were seen particularly in the training taxi drivers received. As of May 2016, taxi and limousine drivers no longer were required take mandatory city training, which had included CPR and first-aid training. Likewise, in **Edmonton**, in April 2016, driver training was placed in the hands of each individual company and prior existing bylaws which required taxi drivers to take speciality driver training, have English proficiency and take defensive driving courses were removed. Although such deregulations have been beneficial in levelling the playing field for both industries, particularly the taxi industry, there have been several concerns as a result of these changes. For instance, in **New Zealand** changes that took place in April 2016, allowed taxi and ridesharing companies to be governed under the same set of rules. As a result, requirements such as area knowledge certificate (which was replaced by GPS technology), driver panic alarms that were monitored 24/7, the ability to communicate in English and the display of information about fares were removed. The removal of the panic alarms from taxis raised concerns as during the time in which panic alarms and cameras were installed in taxi cabs, there were no serious assaults or murders and passenger behaviour was seen to have drastically improved.

Taxi licenses and the cost of these licenses were of concern while trying to maintain fair competition between the two industries. As a result, jurisdictions tried to provide compensation packages to existing taxi drivers to make the transition easier for them. In March 2017, officials in **British Columbia** stated how in order to compete with companies like Uber, they would provide the taxi industry with \$1 million in provincial funds to develop an app and \$3.5 million for crash-avoidance technology. The Australian states took a different approach by implementing surcharges to aid the compensation packages provided to the taxi industry. In April 2016, **South Australia** provided its 1137 taxi license plate holders with a compensation package of \$30,000 which was funded by the state government and the extra \$1 levy that was placed on all taxi and rideshare services. This extra \$1 per trip levy was also seen in **Victoria**, as of August 2016, where a \$494 million package was provided to taxi and hire care license holders in order to provide them with compensation and assist them with the transition process. In April 2017, in the **Northern Territory**, taxi license costs dropped by 75 per cent and an extra \$1 per trip levy was imposed on taxi and Uber passengers. This was also seen in the **New South Wales** in November 2017, where all Uber rides incurred a \$1 levy to assist in the compensation of taxi drivers.

CONCLUSION

With the purpose of providing information to support decision-makers and researchers to better understand the evolution of rideshare policy, this report identifies the regulative directions that were pursued in 33 high-income countries between 2012 and 2018.

A timeline summary of policy changes identifies key developments in ride-share policy internationally. With this historical analysis, it is possible to see how changes in some jurisdictions had a domino effect on others. For instance, Canadian cities Calgary, Edmonton, Toronto and Quebec created policies to regulate Uber within months of each other.

An interesting finding from this study was how the introduction of rideshare policy prompted changes in the level of regulation of transportation network companies in certain jurisdictions. Alaska, New Hampshire and Austin (Texas) shifted from municipal to state level regulation, and Winnipeg moved in the opposite direction, from provincial to municipal level regulation. While the impact of the regulation level on the degree of occupational health protection for workers is not analysed, we did see from our analysis of jurisdictions where Uber pulled out or threatened to pull out that the more demanding regulations existed in jurisdictions where rideshare was regulated at the country or state level. Our analysis of jurisdictions where Uber pulled out or threatened to pull out also provides case studies of how far jurisdictions were willing to go to make regulative concessions (or not) to ease the legalisation of rideshare businesses.

We examined reasons provided for regulatory restrictions placed on Uber in relation to insurance, safety, health, and fair competition. Safety and insurance were the main concerns for most jurisdictions. These included driver training, background checks, and gaps in driver insurance coverage. Health concerns tended to centre on driver health exams. Fair competition concerns revolved around the issue of deregulating the taxi industry while upregulating Uber in order to satisfy both stakeholders involved in the transportation network industry.

This report does contain limitations. We did not conduct a systematic policy search but instead relied on news articles in order to capture regulative changes and their policy contexts. As such, some regulative details may be missing; however, we relied on multiple news sources for every item so feel that we captured the key issues. We limited our search to the Google search engine and English-language media, and therefore may have missed information provided in other languages and via other search engines. We also limited our search to high-income countries, in order to provide a comparison point for Canadian researchers and policy-makers.

In all, this report demonstrates the priorities of different jurisdictions in relation to vehicle for hire regulation and provides a timeline for how policy developed internationally. Future research could examine the effect on worker health and safety and rider safety of regulations passed at the municipal level as compared with state and country levels, and identify jurisdictions with regulations that provide the greatest safety to drivers and passengers.

APPENDIX 1: CANADA

Note: All summaries are verbatim of the news articles cited.

1.1 BRITISH COLUMBIA

Jurisdiction: Provincial

December 3rd, 2012: Last week, the B.C. Passenger Transportation Board, effectively shut down Uber in Vancouver by compelling the rides they arrange must charge a minimum of \$75 a trip⁴.

October 1st, 2014: Vancouver city council voted to keep ride-sharing apps like Uber at bay for at least six months while they research the impact that the new technology could have on the taxi industry⁵. This was despite a plea from Uber to allow new technology to compete with the city's cab monopoly – a move that could make hailing a cab cheaper and easier for consumers⁵.

January 11th, 2015: Taxi companies lawsuit alleged Uber was planning to launch UberX in violation of local bylaws and provincial taxi regulations, which they claimed would give Uber an unfair competitive advantage while putting passengers at risk⁶. Uber's application, filed in response, says taxi companies have no authority to enforce municipal or provincial regulations, and it dismisses the lawsuit as little more than an attempt by the taxi industry to protect its monopoly⁶. The application says the lawsuit is speculative, since Uber has not actually launched UberX in Vancouver⁶. Unlike Uber's traditional taxi service, which helps users hail licensed cabs, UberX allows anyone with a vehicle to apply to become a driver⁶. That has prompted warnings from the local taxi industry, governments and regulators that UberX would endanger passengers by putting them in the hands of unregulated drivers⁶.

January 21st, 2016: British Columbia's Transportation Minister is rejecting a request by Uber that the government revise regulations on licensing such operations, saying the current system is ready to process "ride-sharing" services that want to operate in the province⁷. While Uber Canada argued that the current licensing system, which is overseen by B.C.'s Passenger Transportation Board, cannot accommodate ride-sharing services and called on the province to update the law, Transportation Minister Todd Stone stated that the regulatory framework is there. Uber and companies like it need to continue to sit down and talk through their wishes and desires⁷. The Transportation Ministry said such applications go first to a ministry registrar and then to the Passenger Transportation Board, a five member independent tribunal that makes decisions on applications for licensing passenger-directed vehicles such as taxis,

⁴ <https://eaves.ca/2012/12/03/uber-in-vancouver-some-thoughts-for-the-passenger-transportation-board/>

⁵ <https://bc.ctvnews.ca/vancouver-delays-uber-new-cabs-for-six-months-1.2034892>

⁶ <https://www.theglobeandmail.com/news/british-columbia/uber-eager-to-return-to-vancouver/article22409093/>

⁷ <https://www.theglobeandmail.com/news/british-columbia/bc-rejects-uber-request-to-revise-licensing-regulations/article28332937/>

limousines and shuttle vans⁷. If licenses are approved, they are issued by the Passenger Transportation Branch⁷. The provincial government has previously taken a strict line against Uber, but that message changed this week when Mr. Stone said Uber and other ridesharing services will inevitably come to British Columbia⁷.

October 11th, 2016: A senior adviser to Uber says he's confident the B.C. government will allow the ride-sharing service to operate in the province – which is why the company hasn't pushed its way in, as it has done in other jurisdictions⁸.

March 7th, 2017: Transportation Minister Todd Stone unveiled the most significant overhaul of B.C.'s taxi industry in decades, effectively ending the industry's monopoly on service if the Liberals are re-elected on May 9⁹. B.C. would green light ride-hailing companies like Uber and Lyft, while at the same time offering a cash support and a relaxation of the rules to existing taxi companies to try to prevent their business from being devastated by the competition⁹. Taxi drivers would no longer require special driver's licenses, and the industry would get \$1 million in provincial funds to develop an app to compete with companies, as well as \$3.5 million in crash-avoidance technology in all their vehicles⁹. In B.C., ride-sharing services would be regulated like taxis- heavily⁹. The provincial Passenger Transportation Board determines the number of taxis that can operate in a city, sets their boundaries and determines fare structures⁹. Passenger and vehicle safety and insurance fall under provincial legislation⁹. Vehicle-for-hire operators must hold a National Safety Code Certificate⁹. The registered owner of a passenger-directed vehicle must buy basic vehicle insurance from ICBC; however, there are currently no coverage options for TNCs⁹. Local governments can write bylaws making requirements for commercial and business licensing⁹.

October 16th, 2017: British Columbia plans to allow ride-hailing companies such as Lyft and Uber into the provincial market next fall, but only after the existing taxi industry is modernized¹⁰. According to the Minister of Transportation and Infrastructure, Claire Trevena, stated that it will take time to create a system that meets consumer demand while protecting the safety of passengers and the jobs of people who currently are taxi drivers¹⁰. She said Uber, Lyft and other similar companies “have every right to apply right now” for a taxi license, but they would have to follow the same rules as taxi companies, which ensure drivers operate with proper oversight, training and insurance¹⁰.

January 8th, 2018: The B.C. Taxi Association says it has found an app to meet customer demands across the province, making the need for ride hailing services like Uber and Lyft unnecessary¹¹. But an Uber spokesman said hundreds of thousands of people in B.C. have already accessed their app in the search for reliable and affordable services¹¹. Uber wants an insurance system

⁸ <https://www.theglobeandmail.com/news/british-columbia/uber-remains-confident-that-british-columbia-will-allow-ride-sharing/article32325993/>

⁹ <http://vancouversun.com/news/local-news/uber-vancouver-bc-government-announces-support-for-ride-sharing>

¹⁰ <https://www.theglobeandmail.com/news/british-columbia/british-columbia-plans-new-ride-hailing-rules-for-2018/article36610971/>

¹¹ <http://www.cbc.ca/news/canada/british-columbia/uber-taxi-industry-committee-hearing-bc-1.4478663>

that would allow personal vehicles to be insured as commercial vehicles only for the duration – measured by distance – that a ride is being provided¹¹. Drivers would only need a standard license, rather than a commercial-class license, to provide rides and the rigour of vehicle inspections should reflect the occasional nature of ride-hailing¹¹. The B.C Taxi Association said if ride-hailing services are allowed to operate, they need to be held to the same regulatory standards as taxi companies¹¹. There should also be a standardized base rate to create a fair playing field for all operators¹¹. Legislation on ride-hailing is expected by the end of 2018¹¹.

February 15th, 2018: A possible cap on surge pricing is one of the 32 recommendations that have been put forward in a report on ride hailing by an all-party committee in B.C¹². It is important that any provincial regulatory regime developed takes into account and the need for fairness, consumer protections and workers' rights in an every-changing economy¹². Public safety, including appropriate driver screening, vehicle inspections and insurances are paramount¹². The report provided recommendations around accessible rides, suggesting that the government put a levy on all non-accessible ride-hailing trips with the money going to improving accessibility services¹². The committee also recommended protecting taxi stands and airport service for the traditional cab companies¹². The committee also suggested that the government require ride-hailing companies provide data on trip lengths, wait times and other issues, for monitoring purposes¹². Another recommendation: a prescribed minimum insurance level¹². A poll conducted found that 64% of residents strongly support having ride-hailing services available in B.C in 2018, while only 9% opposed¹². The poll found that British Columbians most want ride hailing because of its affordability and convenience¹². The report is now in the hands of the provincial government, which will decide whether to allow ride hailing companies to operate¹².

1.2 CALGARY

Jurisdiction: Municipal level

February 10th, 2015: Calgary is concerned that Uber drivers are operating without the proper insurance to legally and financially protect passengers in the event of an accident¹³. The city worries that there is too much ambiguity surrounding ride sharing services that leaves Uber and similar companies without proper regulations that are imposed upon traditional taxi services¹³⁰.

November 20th, 2015: Uber plans to pull all of its drivers from Calgary roads early Saturday morning to comply with an injunction that was approved by a judge on Friday¹⁴. The city made the application so drivers would not be able to operate until council updates its bylaws to regulate ride-hailing services to meet safety, insurance and regulatory requirements¹¹. The judge ruled that hundreds of Uber drivers are breaking the law if they get behind the wheel to offer rides¹¹. Uber has told drivers that their personal insurance provides primary coverage, while each ride is also covered by the company's contingent coverage up to \$5 million for

¹² <https://globalnews.ca/news/4028241/bc-ride-hailing-report/>

¹³ <https://www.lowestrates.ca/news/calgary-wants-alberta-pass-regulations-uber-1544>

¹⁴ <http://www.cbc.ca/news/canada/calgary/uber-court-injunction-calgary-drivers-1.3327734>

personal injury and property damage¹¹. However, the city says a driver’s personal insurance is nullified when riders in private, unlicensed vehicles are injured¹¹.

February 22nd, 2016: Uber can now operate legally in Calgary in theory, but the company says it won’t resume operations in the city¹⁵. City council approved a new bylaw Monday that opens the door for ride-hailing services but stopped short of amending the bylaw to meet Uber’s demands¹⁵. Ramit Kar, Uber’s general manager for Alberta, said last week the ride-company “just can’t operate” under the bylaws as written, and re-iterated that immediately after council approved the regulations with only minimal changes¹². Kar described Calgary’s \$220 in annual per driver licensing fees and relatively stringent requirements for background checks and vehicle inspections as “unworkable” for Uber drivers, particular those who work part time¹². But council wouldn’t agree to change the fee schedule or background-check requirements¹². It did, however, vote to loosen the inspection requirement¹². Instead of getting vehicle inspections every six months, the requirement is now one per year, unless a vehicle exceeded 50,000 km of total travel in the previous year¹². In that case, six-month inspections would be required¹². Kar called on Calgary to adopt rules more similar to those approved by Edmonton last month, which include a per-trip fee of six cents in addition to an annual lump sum of \$50,000 paid to the city directly by the company¹². The fee format makes more sense for the majority of Uber drivers in the provincial capital, Kar said, who drive less than 10 hours per week¹².

REGULATORY REQUIREMENT	TAXI	UBER	LIMO
City-issued driver’s licences	✓	✓	✓
City-provided driver training	✓	X	X
Street hails / taxi-stand pickups permitted	✓	X	X
Limit on total number of vehicles	✓	X	X
Trip data submissions required	✓	✓	✓
On-road inspections	✓	✓	X
Physical copy of licence displayed in vehicle	✓	X	✓
Mandatory CCTV in vehicle	✓	X	X

¹⁵ <http://www.cbc.ca/news/canada/calgary/uber-calgary-bylaw-council-debate-feb-2016-1.3458511>

November 28th, 2016: A long-awaited vote by city councillors has paved the way for Uber to return to Calgary in time for the busy holiday season¹⁶. On Monday, members of Calgary’s city council voted 11-4 to approve amendments to Livery Transport Bylaw which will change the application process for drivers of so-called Transportation Network Companies – and offer an alternate license-fee system¹³. Uber originally launched in Calgary (illegally) in October 2015¹³. The next month, the City of Calgary filed an injunction against the company¹³. Then, in December, Uber and the city agreed to work together on a regulatory framework¹³. In February, the City of Calgary approved a new set of ride-sharing regulations which allows companies like Uber to operate legally¹³. However, Uber declined to set up shop, saying it wouldn’t be able to operate under the bylaw¹³. At the time, Uber Alberta director Ramit Kar said the changes were “unacceptable” and complained the city was “trying to fit ride-sharing into a taxi model¹³.” Under that fee structure, companies were charged \$1753 per year plus an additional \$220 per driver¹³. The changes approved on Monday will see companies pay a fee based on their number of drivers, plus an addition \$15 per driver¹³. The bylaw amendments are considered a pilot and will be reviewed in one year with a report sent back to council in the first quarter of 2018¹³.

January 11th, 2017: Airport passengers can now use their phones to request an Uber ride from the Calgary international Airport, in a move being celebrated by Calgary’s business community¹⁷. Uber drivers were allowed to drop passengers off at the airport but pickups were off limits¹⁴. That changed Wednesday, with Uber and the Calgary Airport Authority reaching a deal that allows Uber to use designated ride-share pickup areas on the departures level¹⁴.

1.3 EDMONTON

Jurisdiction: Municipal level

January 27th, 2016: Edmonton city council has approved a bylaw that will allow ride-sharing companies like Uber to operate legally¹⁸. The bylaw, which takes effect March 1, includes two licenses: one for ride-sharing companies, called private transportation providers, and the other for taxis¹⁸⁵. Under the bylaw, both taxis and private providers must charge a minimum of \$3.25 for any trip pre-arranged through a mobile app or written contract¹⁸⁵. The city said drivers will be required to provide proof of the proper insurance and class of driver’s license, as outlined in provincial law¹⁸⁵. Criminal record checks and an annual vehicle inspection by a licensed garage and mechanic will also be required¹⁸⁵. Fines for operating without a city driver’s license or city vehicle license under the new bylaw will be \$5000 and regular enforcement of unlicensed vehicles for hire will continue¹⁸⁵.

April 5th, 2016: After two days of at times tense debate, Edmonton’s city council was the first in Canada to pass a vehicle-for-hire bylaw that will legalize so called ridesharing companies in

¹⁶ <https://globalnews.ca/news/3093068/new-uber-friendly-fee-structure-approved-by-calgary-councillors/>

¹⁷ <http://calgaryherald.com/news/traffic/calgary-airport-passengers-can-now-be-picked-up-by-uber>

¹⁸ <https://www.theglobeandmail.com/news/alberta/edmonton-approves-bylaw-allowing-ride-sharing-companies-like-uber-to-operate/article28425775/>

Edmonton¹⁹. Under the new bylaw, Uber needs to provide provincially approved insurance – either a full commercial policy like the fleet policy most taxi brokers use for their 24-hour cars or a new one designed specifically for part-time drivers using their private vehicles¹⁶. Uber has said a commercial policy is unrealistic and expensive¹⁶. It’s working with two insurance companies to come up with an alternate policy¹⁶. Uber is also required to register as a broker for “private transportation providers¹⁶.” It would pay the city a \$50,000 annual fee, plus six cents per trip in order to cover the city’s costs for regulation and enforcement¹⁶. It would also pay \$20,000 a year toward accessible transportation, funds that would subsidize the cost of turning a regular taxi into a wheelchair accessible one¹⁶. Uber drivers will need a Class 1, 2 or 4 license, a criminal record check, a city-issued driver’s license and an annual mechanical inspection of their vehicle¹⁶. City officials have not yet decided what decal or plate, if any, Uber drivers will be required to display¹⁶. The requirements for Uber drivers and taxi drivers are the same¹⁶. The old bylaw also required a driver’s abstract, specialty driver training, English proficiency and a defensive driving course¹⁶. Those requirements have been removed¹⁶. Driver training is now left up to each company¹⁶. Under the new bylaw, Uber can charge whatever price it wants as long as the total cost is \$3.25 or more and the consumer agrees to the price ahead of time¹⁶. At times of peak demand, prices on the Uber app can double or more¹⁶. Council declined to put in a maximum but will revisit the issue again in six months or less, once they have data from the market¹⁶. Taxis will continue to charge the regulated fare¹⁶. Drivers will be allowed to give a 10 per cent discount to seniors and there are new flat fares set for each area of the city to the airport¹⁶. Taxi companies have the option of competing with Uber on apps¹⁶. They can offer whatever discounts they want if customers get a ride through their app or with a corporate package¹⁶. The bylaw requires Uber to open its books to city officials so they can verify Uber is paying all the fees they are required to¹⁶. Uber has asked to be allowed to administer the criminal record checks for its drivers, but that has yet to be worked out¹⁶.

June 30th, 2016: Uber announced that they will resume operations in Edmonton starting midnight on July 1st²⁰. Upper Edmonton suspended their services on March 1st, 2016 when the city outlined a plan to regulate drive-for-hire companies with police checks, a Class 4 license and appropriate insurance for drivers¹⁷. Last Tuesday, the provincial government formally announced these plans with a reviewed framework that would allow Transportation Network Companies (TNCs) such as Uber to resume business¹⁷. Every Uber driver in Alberta will now be covered under this new policy by intact Insurance – purchased by Uber – and it includes \$2 millions of third party liability per incident, loss or damage to a vehicle, and coverage between trips¹⁷.

March 21st, 2017: Municipal Relations Minister Eileen Clarke said Bill 30, the Local Vehicles for Hire Act, intends to modernize Winnipeg’s taxi industry to include app-based ride-booking services like Uber²¹. The act transfers taxi oversight powers from the Manitoba Taxicab Board

¹⁹ <http://edmontonjournal.com/news/local-news/the-ins-and-outs-of-what-council-passed-for-uber-and-the-taxi-industry>

²⁰ <https://edmonton.ctvnews.ca/uber-to-resume-operations-under-new-ride-sharing-regulations-1.2968571>

²¹ <http://www.cbc.ca/news/canada/manitoba/edmonton-uber-winnipeg-1.4035284>

to the city¹⁸. The bill is set to come into effect February 28th, 2018, unless the city is ready to take over earlier¹⁸. The intent is to provide consumers with choice, maintain public safety, treat various stakeholders equitably, so each has an opportunity to succeed¹⁸. Edmonton is able to regulate its taxi industry for just over \$1 million a year, all which is covered by the licenses it issues to drivers and dispatchers¹⁸. Edmonton was the first municipality in Canada to officially make Uber legal when city councillors updated bylaws in January 2016²¹. An insurance hiccup briefly put Uber service in Edmonton on hold but in July it resumed and remains in service¹⁸. The same rules that govern conventional taxis apply to Uber and that fairness is important¹⁸. They are required to have proper insurance, an appropriate police information check and a correct class of provincial driver's license¹⁸. The biggest difference is that Uber can only accept pre-arranged trips; conventional taxis are allowed to pick up someone waving or whistling for a cab¹⁸. Uber drivers are not required to post their license in their cabs but customers can see them on their apps¹⁸.

June 20th, 2017: The City of Edmonton is looking to make some changes to the regulations that allow ride-share companies like Uber to operate²². Local rules came into effect last March, while provincial regulations followed in July¹⁹. The city now wants the two to better align with each other¹⁹. Edmonton has five enforcement officers making sure ride-share companies follow the rules, like drivers having proper documentation and not picking up hails¹⁹. One of the proposed changes is increasing fines¹⁹. For example, the fine for a ride-sharing driver accepting a hail is going from \$250 to \$1000¹⁹. The industry pays for that enforcement through per trip fees¹⁹. Its currently six cents but its proposed to jump dramatically to 30 cents per trip¹⁹. The estimated cost to enforce the rideshare industry is \$1.5 million¹⁹.

April 2nd, 2018: Uber and traditional taxis appear to be sharing the streets better than in 2016 when Edmonton legalized ride-sharing services, according to an annual update provided to city council²³. Uber pulled their cars off Edmonton streets until July 1st when the province approved an insurance policy specifically for ride-sharing companies²⁰. Uber argued that commercial insurance was too expensive for their drivers²⁰. Edmonton's vehicle for hire bylaw outlines rules for traditional taxis and companies like Uber, which books rides through a smartphone app²⁰. The bylaw requires valid driver and vehicle licenses, mechanical certification and insurance²⁰. It also requires cars to properly display information like the driver's name and a current photo²⁰.

April 6th, 2018: Uber and Edmonton International Airport (EIA) have come to an agreement that will allow Uber drivers to pick up riders from the airport²⁴. Drivers will be able to pick up travellers on the outer curb outside Door 10 on the arrivals level²¹.

²² <https://globalnews.ca/news/3541687/edmonton-considering-changing-rules-for-uber-and-other-ride-sharing-companies/>

²³ <http://www.cbc.ca/news/canada/edmonton/edmonton-city-council-uber-1.4602320>

²⁴ <https://globalnews.ca/news/4127907/uber-drivers-now-allowed-to-pick-up-edmonton-international-airport-travellers/>

1.4 QUEBEC

Jurisdiction: Provincial

May 4th, 2016: Quebec Transport Minister Jacques Daoust is expected to table a piece of legislation that could drastically affect Uber's operations in the province²⁵. The proposed law would regulate the ride-sharing service and force all drivers to buy taxi permits²². Regulations could also include restricting the number of Uber cars operating in the province and introducing mandatory taxes on each fare²².

June 10th, 2016: The province's controversial taxi bill, which would regulate ride-hailing services such as Uber, passed after the Liberal government forced the legislation to a vote, as the last day of the National Assembly session turned into a marathon²⁶. Initially, all sides, including the taxi industry, wanted Bill 100 passed²⁶³. The government thought it had reached consensus with all parties on an amendment that would allow Uber 90 days to come up with a pilot project before the law comes into effect²⁶³. Today, the Quebec Solidaire retracted their consent because the party believes the amendment is too vague and would create two classes of taxi drivers²⁶³. They believe that it is unfair to taxi drivers who hold permits which can cost up to \$200,000²³. The new law will require "remunerated passenger transportation services," including UberX, to buy a taxi permit²⁶³. Anyone offering taxi transportation services without holding a permit would face fines of \$2500 to \$25000²³. The company could be fined up to \$50000²⁶³.

September 14th, 2016: Despite reaching a deal with Uber, Quebec is continuing its crackdown on the ride-sharing service²⁷. Since Uber arrived in the province in February 2015, 700 vehicles have been seized and even more infractions have been given out²⁴. This week at least a dozen drivers had their cars impounded, licences revoked and were forced to pay \$3750 in fines and fees²⁴. The project hasn't officially started yet as the law states there needs to be a 20 day grace period between the signing of a new deal and its implementation²⁴. That means for now, Uber drivers must still follow Bill 100, which makes it illegal to not have a taxi permit²⁴.

October 22nd, 2016: The one year pilot project to allow Uber to operate legally in the province of Quebec has officially begun²⁸. The Quebec transport commission issued an intermediate permit to operate taxi services, which is a requirement for the project to begin²⁵. Uber's permit is valid until October 14th, 2017, after which it could be extended for another year²⁵.

September 26th, 2017: Uber said that it will stop operating in Quebec next month, pulling out to avoid following tough new regulations announced last week²⁹. The new rules require drivers to undergo 35 hours of training, in line with requirements for traditional taxi drivers (who

²⁵ <https://globalnews.ca/news/2679442/new-taxi-laws-might-mean-the-end-of-uber-in-quebec/>

²⁶ <http://www.cbc.ca/news/canada/montreal/uber-law-could-pass-today-1.3628992>

²⁷ <https://globalnews.ca/news/2939780/uber-cars-seized-in-quebec-drivers-fined-and-licences-confiscated/>

²⁸ <https://globalnews.ca/news/3019867/uber-can-now-legally-operate-in-quebec/>

²⁹ http://www.autonews.com/article/20170926/MOBILITY/170929845/uber-says-it-will-pull-out-of-quebec?utm_source=dlvr.it&utm_medium=twitter

previously needed 150 hours of training)²⁶. The Quebec government says it isn't budging after an ultimatum was delivered by Uber³⁰. The multinational, which competes with the taxi industry, said it will pack it in if Quebec doesn't cave in by October 14th, the date of the renewal of a pilot project allowing Uber to operate in the province²⁷.

October 13th, 2017: The provincial government will give Uber drivers more time to undergo background checks, but otherwise is not going to alter the operating conditions for the ride-hailing service³¹. The altered conditions require Uber drivers to undertake 35 hours of training in order to level the playing field and make Uber drivers and taxi drivers work under the same basic conditions²⁸. After a meeting with the new Transportation Minister Andre Fortin, Uber who had threatened to pull out, decided to stay²⁸. Fortin made a slight tweak to the regulations and said that all existing Uber drivers would have to get police background checks completed within two years of their previous background checks which were done by a private company²⁸. Any drivers who join Uber after October 15th, will have eight months to submit a background check²⁸.

1.5 TORONTO

Jurisdiction: Municipal

October 1st, 2015: Earlier in the week, council voted to update the city's existing taxi and limousine rules to apply to Uber – meaning that the company needs a brokerage license, which it does not have³². At the same time, while the city appears to be moving in the direction of creating new regulations for Uber, that decision was put off until next year²⁹. While the Mayor John Tory said he is not happy with the company operating against the law, he is willing to accept it in the interim²⁹.

May 3rd, 2016: Toronto will allow UberX to operate legally in the city while also cutting regulations for taxis³³. Among the rules passed by council, UberX – where drivers use their private vehicles to transport passengers – will have to raise its base fare from \$2.50 to \$3.25³⁰. UberX vehicles will not need cameras and the company's drivers will need only a regular class-G license, plus a permit from the city³⁰. Changes for traditional taxis include looser rules for training and the right to mimic the so-called surge pricing used by Uber³⁰. There will a report on compensating taxi-plate owners for "investments that have been negatively impacted by new market entrants³⁰." An earlier proposal that vehicles be equipped with snow tires was modified to allow for all-weather tires in the colder months³⁰. A recommendation that drivers be required to speak English survived Tuesday's debate unchanged³⁰.

³⁰ <http://montrealgazette.com/news/local-news/fed-up-with-new-regulations-uber-poised-to-leave-quebec-report>

³¹ <https://montreal.ctvnews.ca/uber-to-stay-in-quebec-as-province-maintains-new-rules-1.3630862>

³² <https://www.theglobeandmail.com/news/toronto/uber-to-continue-outside-the-law-in-toronto/article26628483/>

³³ <https://www.theglobeandmail.com/news/toronto/divided-toronto-council-seeks-middle-ground-as-uber-debate-begins/article29835110/>

May 4th, 2016: Uber is finally legal in Toronto after a marathon council session at city hall yesterday that ultimately resulted in a compromise for regulating the service³⁴. At the heart of the deal is a new set of rules for private transportation companies and a variety of modifications for existing taxis³⁴¹.

- Decision to set the minimum price of all UberX fares at \$3.25, the rate currently used by taxicabs³⁴¹
- Traditional taxis will also be allowed to use the surge pricing under the new regulations but only when fares are booked through an app³⁴¹
- Better for the customer, taxi companies will also be able to lower fares for rides booked through apps³⁴¹
- Training requirements were loosened for taxi drivers³⁴¹
- Uber drivers will now be required to file documents with the city, which include their license, insurance and vehicle inspection reports, which will be required twice a year³⁴¹

Controversial regulations related to Uber have been pushed back for further debate such as the proposal to cap the number of PTC drivers on the road³⁴¹.

May 5th, 2016: The city will create a new class of license – called a private transportation company license – that Uber and other ride-hailing firms would have to apply for³⁵. The new license appears to be constructed around phone apps³². The new regulations would also scrap 2014 reforms to make all cabs fully accessible by 2024³². The new rules also roll back 2014 reforms on the two types of taxis currently in operation: Standard and Ambassador³².

- Standard which can be leased or sold, are preferred for drivers and companies to Ambassador licenses, which are required to have higher standards and accessibility and must be strictly owner-operate³²

Many of these regulations follow those implemented in Edmonton, which was the first Canadian city to allow Uber and companies like it³². Council voted that Uber and other ride-hailing companies should have insurance of at least \$2 million on all drivers for bodily injury, death and damage to people or property – the same as the insurance burden faced by taxi companies³². The city will eliminate its requirements for drivers to take training programs in order to get a license – and taxi and limousine drivers will no longer have to take CPR and first-aid training³². The regulations will make riding a taxi or private transportation more expensive for consumers³². Uber must add \$0.30 per trip to each fare as a “city fee,” to be remitted to the city. Taxis can now charge more during their peak hours as a result of the new regulations³².

August 16th, 2016: Toronto grants Uber first-ever Canadian license to operate³⁶. The city announced that it has now licensed Uber as the first private transportation company in Toronto under new regulations³³.

³⁴ https://www.blogto.com/city/2016/05/uber_is_now_officially_legal_in_toronto/

³⁵ <http://www.cbc.ca/news/canada/toronto/new-uber-rules-1.3566298>

³⁶ https://www.thestar.com/news/city_hall/2016/08/16/toronto-grants-uber-first-ever-canadian-licence-to-operate.html

April 10th, 2018: Uber drivers who want to fight their employer in court will have to go to the Netherlands to do it, an Ontario judge ruled – exposing what employment lawyer Lior Samfiru calls a dangerous loophole in the province’s labour laws³⁷. The decision follows a class-action lawsuit launched by Toronto-based Samfiru Tumarkin LLP arguing Uber drivers are employees entitled to protection under the Employment Standards Act – not independent contractors as the company claims³⁴. Uber fought the class action, arguing that its service agreements with individual drivers specify that disputes must be resolved through arbitration in the Netherlands, where one of the company’s arms is incorporated which the Ontario superior court agreed with³⁴. Uber’s legal team is located primarily in the Netherlands with local assistance in certain jurisdictions in which Uber operates³⁴. When drivers’ complaints or disputes with Uber cannot be resolved through either level of assistance with In-App Support or at a Greenlight Hub, the matter may be referred to Uber’s legal team – the decision said³⁴.

1.6 WINNIPEG

Jurisdiction: Provincial to municipal

December 11th, 2014: Manitoba’s Minister of Municipal Government, Drew Caldwell, said anyone driving for the taxi alternative service or Uber would be doing so illegally³⁸. In a statement, Caldwell said, “Under current rules, any driver who wants to work for Uber would need to obtain a taxicab license through the Taxicab Board and would have to conform to all applicable liability and safety provisions.³⁵” Manitoba’s Taxicab Act says no person can operate a taxicab without a license, and anyone who does is guilty of an offence and could face fines up to \$500 for a first offence and \$1000 for additional offences³⁵. If fees are not paid, the province could cancel the driver’s license or car registration under the act³⁵. Most extreme penalties could result in a ban on registering vehicles in Manitoba for up to two years after the offence³⁵.

April 10th, 2017: Acting on recommendations of the December 2016 report prepared by accounting firm Myers, Norris, Penny (MNP) on Winnipeg taxicab services, the Province announced legislation to devolve responsibility for oversight of the taxicab industry to municipal government³⁹. In February 2017, in his annual State of the City Address, Winnipeg Mayor Brian Bowman reiterated his desire to enable ridesharing service providers such as Uber to enter the Winnipeg market³⁶.

November 10th, 2017: Bill 30 will dissolve the Manitoba Taxicab Board and give the board’s authority to local municipalities, which could develop by-laws to allow for ride-sharing companies like Uber⁴⁰. The Conservative government says the law won’t go into effect until March 1st, 2018⁴⁰. Duffy’s Taxi vice president Jaspal Bedi said most of the taxis revolved around safety – it should be the same for ride sharing⁴⁰. Our number one priority is safety³⁷. Bedi

³⁷ <https://www.thestar.com/news/gta/2018/04/10/uber-court-ruling-exposes-dangerous-loophole-critics-say.html>

³⁸ <http://www.cbc.ca/news/canada/manitoba/driving-for-uber-in-manitoba-would-be-illegal-province-says-1.2870269>

³⁹ <https://policyfix.ca/2017/04/04/uber-no-solution-for-winnipeg-analysis-of-taxi-and-transport/>

⁴⁰ <https://globalnews.ca/news/3854105/ride-sharing-legislation-passes-in-winnipeg/>

expressed frustrations Friday over the plan to bring in ride sharing; pointing to driver shields, security cameras, and current protocol required to receive a cab license⁴⁰⁷. Drivers must undergo an 80-hour training course, criminal background check and a child abuse registry before they hit the road³⁷. Spokesperson from Uber Canada told Global News that their potential drivers must meet similar tests before signing up for their ride sharing application as well⁴⁰⁷.

December 1st, 2017: Companies such as Uber and Lyft will be able to operate alongside taxis in Winnipeg as early as March 1 as part of a new plan to regulate vehicles for hire⁴¹. Pending council approval, the city plans to regulate all vehicles for hire next year but only license taxis³⁸. The report also calls for the city to spend \$1.3 million regulating all vehicles for hire and recovering this money from licenses and fees³⁸. To collect this revenue, the city plans to boost basic cab charges from \$3.50 to \$3.75, increase the one kilometre rate from \$1.38 to \$1.60 and hike the waiting fee from 46 cents to a minute to 52 cents³⁸. This will be maximum fare as opposed to a mandatory rate, allowing taxis to compete with services such as Uber and Lyft³⁸. The city will also require Uber and Lyft drivers to undergo the same criminal background checks and vehicle-safety certifications as taxi drivers, but they won't have to install shields³⁸. Uber and Lyft drivers won't be allowed to pick up passengers who hail them on the street³⁸. They also won't be allowed to accept cash as payment³⁸. To ensure there are enough accessible vehicles in Winnipeg, all vehicle-for-hire companies will be charged a surcharge if less than 10 per cent of their fleet is accessible³⁸.

⁴¹ <http://www.cbc.ca/news/canada/manitoba/winnipeg-uber-taxi-regulation-1.4428748>

APPENDIX 2: UNITED STATES OF AMERICA

Note: All summaries are verbatim of the news articles cited.

1.1 ALASKA

Jurisdiction: Municipal to State

September 3rd, 2015: Uber has agreed to pay the state \$77, 925 because they misclassified drivers as independent contractors instead of employees⁴². The company operated in Anchorage for six months then pulled out in March because it could not come to an agreement with the Municipality of Anchorage to legally operate in the city³⁹. The municipality said that the company was violating the taxi ordinance³⁹. Uber is now also prohibited from operating in the state until they comply with the state's classification laws³⁹. According to the Department of Labor and Workforce Development³⁹:

- Labeling workers as contractors lets companies avoid paying unemployment insurance taxes and worker compensation premiums
- It also violates the Alaska Workers' Compensation Act
 - The money will go toward covering uninsured injured workers claim

September 22nd, 2016: Uber plans return to Alaska, and this time, its sights are set on more than just Anchorage⁴³

- Taking on a new approach – they want to engage lawmakers, city officials and changing their approach to a more state-centric approach⁴⁰
- As part of the settlement that took place last year, Uber agreed it wouldn't return to Alaska unless state law is amended to explicitly exempt TNC drivers from such insurance requirements or Uber gives notice to the Labor Department before starting up again to discuss its business structure⁴⁰
- The Anchorage Assembly had formed a committee to craft changes to local law to allow Uber to operate in the city but that work wasn't completed by the time Uber pulled out of the state⁴⁰

March 23rd, 2017: Senate Bill 14 and House Bill 132 would exempt people who drive for TNCs from being covered under the state's workers' compensation policy⁴⁴. If the bills pass as proposed, only the state will be able to regulate such companies, and municipalities generally won't be able to create or enforce any ordinances regulating them⁴¹.

- The bill's language as it stands now "would apparently limit" the city's ability to address issues such as local sales taxes, vehicle standards, being able to regulate ride-hailing drivers who want to access Southeast Alaska ports⁴¹

⁴² <https://www.ktoo.org/2015/09/03/national-ride-sharing-business-banned-alaska-complies-state-labor-laws/>

⁴³ <https://www.adn.com/business-economy/2016/09/22/uber-plans-a-return-to-alaska-and-this-time-its-sights-are-set-on-more-than-just-anchorage/>

⁴⁴ <https://www.adn.com/business-economy/2017/03/22/alaska-is-one-of-the-last-states-without-uber-or-lyft-new-legislation-might-change-that/>

- The bills would require ride-hailing companies to conduct local and national criminal background checks for people who apply to be drivers, including a check of the national sex offender database⁴¹
 - The insurance and background checks are regulated by the companies – self regulated... if something criminal were to happen, that would immediately go to any local authority⁴¹
- TNCs are just another way to provide affordable transportation to Alaskans⁴¹

June 16th, 2017: Governor Bill Walker signed House Bill 132, which will let TNCs start operating in Alaska⁴⁵. While the law requires ride-hailing companies to conduct local and national background checks for people who apply to be drivers, and also look into their driving history, there's no state oversight to make sure businesses actually do this⁴⁵². They are self-regulating thus there's not a state agency or person tasked to go through each driver⁴⁵². Per the new Alaska law for TNCs, municipalities don't have the authority to regulate such services on a local level⁴⁵².

1.2 AUSTIN (TEXAS)

Jurisdiction: Municipal to State Level

March 2015 – Uber POOL was offered in Austin, Texas in advance of the annual South by Southwest festival⁴³.

May 7, 2016 - Uber and Lyft announced they would no longer provide service in the city of Austin, Texas after city voters rejected a referendum backed by the two companies that would have repealed a city ordinance requiring their drivers to submit to fingerprint-based background checks.⁴⁶

Late 2016 - Uber threatened to leave Houston ahead of the Super Bowl LI festivities, insisting various city regulations, including fingerprint background checks of drivers, were too burdensome and prevented drivers from working⁴⁴. The company pulled operations from the Texas city after being told to fingerprint and background check all prospective and current drivers, which it said did nothing to improve safety and penalized minors⁴⁷.

December 2016 - Houston officials and Uber reached a compromise whereby Houston would continue to require a fingerprint check for drivers but eliminate requirements for driver drug testing and physicals through at least February 5, 2017⁴⁴.

⁴⁵ <https://www.adn.com/business-economy/2017/06/15/uber-and-lyft-are-arriving-in-alaska-heres-what-you-need-to-know/>

⁴⁶ https://en.wikipedia.org/wiki/Uber_protests_and_legal_actions

⁴⁷ <http://www.independent.co.uk/travel/news-and-advice/uber-ban-countries-where-world-taxi-app-europe-taxi-us-states-china-asia-legal-a7707436.html>

May 25th, 2017 - Uber restored its presence in Austin ⁴⁸ The state, rather than local city governments, is now responsible for regulating the ride-hailing industry, requiring local, state and national criminal background checks but not fingerprints⁴⁹.

1.3 CALIFORNIA

Jurisdiction: Municipal/ Federal

December 31st, 2013: Death of a 6 year old in San Francisco, who was struck and killed in a crosswalk by an Uber driver who was awaiting a fare request resulted in a lawsuit against Uber over insurance liability⁵⁰. As a result, California became the first state to pass a measure requiring that Uber supply its drivers with \$50,000 in death and injury liability coverage, \$100,000 in total coverage and \$30,000 in property damage, along with an additional \$200,00 in excess liability coverage⁴⁷.

December 9th, 2014: San Francisco and Los Angeles's district attorneys sued Uber and Lyft for misleading passengers about safety and background checks⁵¹. Government officials uncovered 25 Uber drivers who had prior convictions of murder, assault, sexual offences, and child abuse⁴⁸. Lyft settled with the state for \$500,000 in December 2014 while Uber settled for \$25 million in April 2016⁴⁸.

June 17th, 2015: An Uber driver is an employee, not a contractor, according to a ruling from the California labor commission⁵². The ruling came after a San Francisco- based former Uber driver filed a claim against the company⁴⁹. Even though Uber tries to paint itself as a matchmaking platform for riders and drivers it⁴⁹:

- Sets strict controls on how drivers conduct their businesses
- Sets fare rates
- Prohibits drivers from collecting tips
- Has rules about what kinds of cars they have drive
- Will boot drivers who receive low ratings on the app

The ruling pointed out, that heavy level of control fits the profile of an employer (only about Uber driver who filed claim)⁴⁹

- Provide ammo in other cases, as this isn't the first time Uber drivers have tried to get employee status⁴⁹

Employment status is bad news for Uber because current Uber model maximizes how much money Uber can make without being saddled with employment responsibilities⁴⁹:

- Social security and Medicare taxes for eligible drivers in California

Uber appealed stating that the ruling only applies to one driver⁴⁹:

⁴⁸ <https://qz.com/1084981/map-all-the-places-where-uber-is-partially-or-fully-banned>

⁴⁹ <https://www.theguardian.com/business/2017/sep/29/uber-clashes-with-regulators-in-cities-around-the-world>

⁵⁰ <http://www.startribune.com/proposed-insurance-requirements-for-ridesharing-has-uber-reconsidering-future-in-minnesota/296510191/>

⁵¹ <https://www.cnet.com/news/california-law-tightens-background-checks-on-uber-lyft-drivers/>

⁵² <https://gizmodo.com/uber-drivers-in-california-will-be-considered-employees-1711956394>

- California Labor Commission's ruling is non-binding and applies to a single driver
- Contrary to previous ruling by the same commission, in 2012, which concluded that the driver "performed services as an independent contractor, and not as a bona fide employee"

April 21st, 2016: Uber has reached a landmark settlement in two class action lawsuits (California and Massachusetts) that will see it pay as much as \$100 million to the drivers represented in the cases, but will allow it to keep categorizing them as independent contractors, rather than employees⁵³. As part of the settlement, Uber will also give drivers more information about their quality rating, will allow them to judge it against fellow drivers and will lay out specifically the conditions under which it will deactivate drivers⁵⁰.

September 29th, 2016: Governor Jerry Brown signed legislation forbidding ride-hailing companies from hiring drivers with any violent felony convictions' previously background checks went back just seven years⁵⁰. News of assaults by ride-hailing drivers has been a frequent occurrence⁵⁰. Reports of rape, battery and harassment have grabbed headlines in multiple states: California, Georgia, Illinois, Texas, Washington, Florida, etc⁵⁰. While some of these drivers have clean criminal histories, others had prior convictions that Uber and Lyft's background checks didn't find⁵⁰. The new law will now allow ride-hailing companies to complete felony checks that go back for drivers' lifetimes – and was supported by both Uber and Lyft⁵⁰. The new law goes into effect January 1st, 2017 also forbids Uber and Lyft from allowing drivers on its platform that are registered sex offenders, have prior violent misdemeanors or cited for driving under the influence of alcohol violations in the past seven years⁵⁰. If someone with a criminal history is found to be driving for Uber or Lyft, the companies could now face fines of up to \$5000 per driver⁵⁰.

March 8th, 2017: Uber can legally put its self-driving cars back on California streets after securing the necessary permit from state regulators although passengers will not immediately be allowed in the backseat⁵⁴. Obtaining the permit marks a concession for Uber, which had fought California regulators over the requirement and initially refused to apply for the \$150 permit⁵⁴¹. After a week long standoff with regulators last December (2016), when Uber argued that its cars do not meet the state's definition of an autonomous vehicle because they require constant monitoring by a person, Uber moved its self-driver cars from San Francisco to Arizona, a state with fewer regulations for autonomous vehicles⁵⁴¹.

July 12th, 2017: San Francisco Uber drivers have won a tentative victory in their long-running legal battle to be classified as employees rather than independent contractors⁵⁵. A federal court in North Carolina gave conditional certification on Wednesday to a class-action lawsuit by several Uber drivers

⁵³ <https://www.theverge.com/2016/4/21/11485424/uber-suit-california-Massachusetts-drivers-employee-contractor>

⁵⁴ <https://www.srnnews.com/california-grants-uber-permit-to-bring-back-self-driving-cars/>

⁵⁵ <https://www.nytimes.com/2017/07/12/business/uber-drivers-class-action.html>

that was brought under the Fair Labor Standards Act⁵². The lawyer for the plaintiffs stated: “They are employees and should be getting minimum wage and overtime as required by federal law⁵².”

August 2nd, 2017: A bill in the California Legislature backed by Uber and Lyft would allow ride-hailing drivers to get a single license to work statewide rather than having to purchase one in every city they pick up, drop off or driver through⁵⁶. For now, few cities are enforcing their current business license rules with Uber and Lyft drivers but the state legislation would preempt their ability to do so, such as San Francisco, which already has a robust licensing effort⁵³.

- San Francisco: drivers have to pay an annual fee of \$91 for a license – which allows the city to track ride-hailing and provide data regarding the city’s transportation agency
 - The new legislation would do away with that
 - San Francisco – overwhelmed with these vehicles and to deal with the impacts on our city, we need to have business licenses in place
- Whether Uber and Lyft drivers need business licenses at all is a consequence of their status under the law and whether drivers are employees of the companies or independent contractors⁵³
 - The distinction has substantial implications for drivers’ pay, benefits, work rules and the companies’ bottom lines⁵³
 - Since drivers are defined as independent contractors they need to get licenses in every city where they do business⁵³
- However, Senator Steven Bradford, finds that these rules don’t make sense for drivers who have to travel to multiple cities and states that the same business model from 20-30 years ago does not apply today⁵³
- Bradford’s bill requires drivers to get just one business license, issued in the city where they live⁵³
 - Privacy of drivers is one of the proposed features of this bill as it would restrict public access to drivers’ addresses whereas cities make such information about independent contracts available in online databases of business records⁵³
- San Francisco: more than 70% of Uber and Lyft drivers operating in the city don’t live there thus the Bradford bill would mean the city can’t collect money from them resulting in a \$500,000 loss⁵³
- Los Angeles: does not issue business licenses but instead requires companies and independent contractors to pay a tax (\$55/year)⁵³
 - Even if the Bradford bill passes, Los Angeles could charge its tax⁵³

October 13th, 2017: Drivers for Uber, Lyft and other ride-hailing services will only need one permit to work anywhere in California under legislation signed by Governor Jerry Brown⁵⁷. Under the new law, Senate Bill 182, drivers will obtain a single business license that will make them eligible to transport passengers across the state⁵⁴. Drivers will be licensed where they

⁵⁶ <http://www.latimes.com/politics/la-pol-ca-uber-license-fees-20170802-story.html>

⁵⁷ <http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-uber-lyft-drivers-will-only-1507937669-htlmstory.html>

live⁵⁴. Local governments don't typically enforce rules that require ride-hailing drivers to have business licenses, but in theory every city a driver passes through could charge a fee⁵⁴.

November 10th, 2017: Tougher background checks for drivers at companies like Uber and Lyft got the nod from the California Public Utilities Commission Thursday, the state regulatory agency announced ⁵⁸. Under the now tightened rules, ride sharing businesses must use accredited background companies and screen all drivers before they start driving and annually thereafter, and must provide proof to the utilities commission that they did so⁵⁵.

- Quote: "Our decision today requires that TNCs perform background checks every year for as long as the driver is authorized to operate on the TNC's platform" – Commissioner Liane Randolph⁵⁵
- Strengthens existing protection for customers⁵⁵
- The new requirements strengthen existing rules, which mandate that ride-sharing businesses must search national criminal records and the U.S Department of Justice National Sex Offender public website⁵⁵
- The companies are also barred from using people convicted of misdemeanor assault or battery, domestic violence, driving under the influence, a felony violation or violation of certain Penal Code sections within the previous seven years⁵⁵
- The new rules come in the wake of lawsuits against both Uber and Lyft regarding business practices including background checks⁵⁵

February 7th, 2018: Senate Bill 1014 from Senate Nancy Skinner would set goals for the electrification of ride-hailing cars over the next decade and set up aside up to \$300 million to help subsidize the purchase of electric cars by ride-hailing drivers⁵⁹. The requirement is for Uber, Lyft and other ride-hailing companies to have all electric fleets by 2028⁵⁶. The bill requires the California Public Utilities Commission, which regulates ride-hailing, to coordinate with California Air Resources Board to set electrification targets⁵⁶. The proposal sets a goal for 20% of the miles driven by the companies to be electric by 2020, 50% by 2023, and 100% by 2028⁵⁶. Argument for this change is that electrifying rideshare vehicles cleans the air and protects our climate⁵⁶.

1.4 COLORADO

Jurisdiction: State

April 2nd, 2014: Members of the House Transportation and Energy Committee, considering a bill to authorize on-demand ride-sharing services, grilled sponsors Wednesday about potential gaps in insurance coverage, discrimination against passengers, workers' compensation and other concerns⁶⁰. Despite several meetings, stakeholders aren't on the same page, primarily due to the fact that stakeholders have yet to receive assurances from insurers that they would cover

⁵⁸ <https://patch.com/california/san-francisco/uber-lyft-drivers-face-tougher-background-checks>

⁵⁹ <http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-lawmaker-wants-all-uber-lyft-1517963341-htlmstory.html>

⁶⁰ <https://www.denverpost.com/2014/04/02/colorado-lawmakers-still-wrangling-insurance-for-lyft-uberx/>

drivers during any gray areas, when commercial coverage from ride-sharing companies have not yet kicked in⁵⁷.

- The insurance industry reiterated this week that it would be forced to raise rates on auto policies statewide if insurers are required to cover ride-sharing drivers under their personal coverage. Insurers are insisting that lawmakers make drivers carry commercial coverage⁵⁷.
- SB 125 would classify UberX and Lyft as transportation network companies, and place them under limited oversight of the PUC (which regulates cab firms)⁵⁷
- Lawmakers raised several concerns about requirements placed on taxi companies but not on TNCs, such as mandates to provide wheelchair-accessible vehicles⁵⁷.
- UberX and Lyft offer liability coverage once a driver and a passenger have connected⁵⁷
 - Both companies recently updated their policies to provide coverage also when a driver is on the clock but doesn't yet have a fare, though the measure doesn't mandate that⁵⁷
 - This time frame is key because insurers say personal policies are invalid as soon as drivers turn on the UberX or Lyft app through a livery exclusion⁵⁷
- SB125, as written, draws insurance industry opposition because it declares that livery service doesn't start until the driver is "engaged in a prearranged ride"⁵⁷

April 29th, 2014: Colorado will become the first state in the country to legislatively authorize ride-sharing services offered by UberX and Lyft⁶¹. SB125 officially would authorize the services and place Lyft, UberX and other so called TNCs, under limited state regulation⁵⁸.

- The final version of SB125 requires car-sharing companies, or their drivers, to carry primary commercial insurance coverage for the period when a driver has logged into their Lyft or UberX app but hasn't been hailed⁵⁸
 - Insurers had threatened to raise rates if they were forced to cover that period with a drivers' personal auto policy, arguing that the driver is engaged in commercial activity at the point⁵⁸
- The bill allows TNCs to carry contingent coverage – which kicks in if a driver's personal policy doesn't cover damages for the gap period until January 15th⁵⁸. After that time, the gap coverage has to be primary, either through the driver or the TNC⁵⁸.
- SB125 also requires TNCs to provide primary liability coverage between the time a fare has been hailed and the passenger has been dropped off⁵⁸

June 5th, 2014: Governor John Hickenlooper signed into law a bill that officially authorizes ride-sharing services, making Colorado the first state to legislatively embrace disruptive transportation offerings from upstarts such as Uber and Lyft⁶².

- Lyft, Uber and other ride-sharing companies will have to obtain permits from the PUC and carry at least \$1 million in liability insurance⁵⁹

⁶¹ <https://www.denverpost.com/2014/04/29/colorado-likely-first-to-legislatively-authorize-ride-share-services/>

⁶² <https://www.denverpost.com/2014/06/05/colorado-first-to-authorize-lyft-and-ubers-ridesharing-services/>

- The companies, and or their drivers, will also have to carry primary insurance coverage during the controversial gap period – when a driver is soliciting fares but hasn't been matched with a rider⁵⁹
- Hickenlooper is urging the PUC to require drivers' vehicles to be inspected by certified mechanics⁵⁹
- Drivers though, will not be required to under the same criminal background checks that taxi drivers face⁵⁹
 - Taxi drivers are subject to fingerprint background checks performed by the Federal and Colorado Bureaus of Investigation, while ride-sharing drivers will remain vetted by private companies that use publicly available data⁵⁹

January 14th, 2015: The Public Utilities Commission and the ride-sharing companies will be meeting to hash out new safety standards after TNCs have enjoyed near-unregulated status for years⁶³

- Looking to limit driver hours on the road and ensure proper vehicle inspections
- Temporary rules are in effect, like requiring driver health exams and car inspections, but a year later, they are still debating the permanent rules⁶⁰
- Problem with safety inspections – with taxis, can send PUC inspectors to a company's garage and check on a bunch of cars at once but Uber doesn't have a garage⁶⁰

November 21st, 2017: Colorado has ordered Uber to pay a fine of \$8.9 million for allowing individuals with disqualifying criminal or motor vehicle offenses, or without valid licenses, to drive for the company⁶⁴

- The company blamed an "error" in its background check processes for the bad drivers⁶¹
- The Colorado Public Utilities Commission (PUC) said its probe found violations that included 12 drivers with felony convictions, 17 drivers with major moving-vehicle violations and 3 drivers with a type of driver's license required only after recent drunk-driving convictions⁶¹
- PUC also said that Uber's background checks also failed to identify a number of aliases used by their drivers, including one driver who was "a convicted felon, habitual offender, and at one point in his past has escaped from the Colorado Department of Corrections⁶¹"
- It was determined that Uber had background check information that should have disqualified these drivers under the law, but they were allowed to drive anyway⁶¹
- Per Uber safety polices and Colorado state regulations, drivers with access to the Uber app must undergo a nationally accredited third party background screening⁶¹
- According to current Colorado law, a driver convicted of a felony for nonviolent crimes, such as trespassing or forgery, in their lifetime would not be eligible to drive for Uber in Colorado⁶¹

⁶³ <http://www.cpr.org/news/story/uber-lyft-could-soon-face-tighter-restrictions-colorado>

⁶⁴ <https://www.theverge.com/2017/11/21/16685908/uber-colorado-fine-unqualified-drivers-convict>

1.5 MICHIGAN

Jurisdiction: State level

February 8th, 2017: In what appears to be the first appellate court directly ruling on this issue, a Florida state appeals court ruled last week that Uber drivers are independent contractors and not employees⁶⁵. The case arose out of a dispute over whether former Uber driver was eligible for unemployment benefits after Uber revoked his access to the technology platform⁶². The courts examination of the relationship between Uber and its drivers, while under Florida law, provides insight into how other courts may rule on the issue⁶². Florida courts look at several factors to determine whether a person is or is not an employee for purposes of collecting unemployment⁶². The more control exerted by an employer over the details of the work, the more likely that the worker is an employee⁶². If the control exercised by the employer is focused primarily on the results of the work (and not how the work is performed) then independent contractor status is more likely⁶². The court also examined the contract between Uber and the driver, which “unequivocally disclaims an employer-employee relationship⁶².”

- The contract explicitly informed the driver that by virtue of this independent contractor status, the driver would not be entitled to unemployment benefits following termination of the relationship⁶²

March 1st, 2017: The “Limousine, Taxicab and Transportation Network Company Act” becomes effective, taking this issue out of Michigan courts’ hands⁶⁵. The Act explicitly provides that drivers for TNCs are independent contractors providers certain conditions are met⁶²:

- The TNC does not prescribe the hours that the driver must be logged into its program
- The TNC does not restrict the drivers’ ability to drive for other companies
- The TNC does not limit or assign territories in which the driver can work
- The TNC does not prohibit a driver from engaging in any other occupation or business
- The TNC and the driver agree in writing that the driver is an independent contractor

The Act is limited only to TNCs like Uber and Lyft and does not apply to gig-economy companies in Michigan⁶².

March 21st, 2017: Uber, Lyft and other rideshare businesses defined as TNC, will now be state regulated the same as limousine and taxicab carriers according to the Limousine, Taxicab, and Transportation Network Company Act (PA 345)⁶⁶. The authority to regulate these ride services is under LARA’s Corporations, Securities and Commercial Licensing Bureau (CSCL)⁶³.

- The Act helps ensure public safety by mandating criminal background checks of drivers and inspections on vehicles more than five years old by a licensed mechanic
- There is a zero-tolerance policy for drivers who use drugs or alcohol while operating a vehicle

⁶⁵ <https://www.nemethlawemploymentblog.com/CourtSaysUberDriversAreIndependentContractors-NewMichiganLawAgrees>

⁶⁶ http://www.michigan.gov/som/0,4669,7-192-29943_34759-407411--,00.html

- Registered companies shall adopt a non-discrimination policy with respect to passengers and potential passengers, and their drivers shall comply with the policy
 - Passengers with special needs must be accommodated at no additional charge
- Companies register with LARA by submitting an application along with business entity documents, proof of insurance and detailed signage or emblem for LARA to approve⁶³
- Companies pay an application fee ranging from \$25 to \$100, and an annual registration fee ranging from \$100 to \$30,000
 - Fees are set on a per vehicle basis, with a maximum fee based on 1000 vehicles
- Under the Act, drivers of a registered company must⁶³:
- Be at least 19 years old
 - Have a valid driver's license issued from Michigan or another state
 - Not have more than four moving violations or one major violation within the last three years
 - Not listed on the National Sex Offender Public Website
 - Not have any felony convictions within the last five years
 - LARA has authority to audit background records of drivers at any time and other types of records, but not more than twice, annually
 - Moves the regulation of taxicab carriers from local to state jurisdiction and moves the regulation of limousine carriers (less than eight passengers) from the Michigan Department of Transportation to LARA

1.6 MINNEAPOLIS (MINNESOTA)

Jurisdiction: Municipal

October 12th, 2012: Uber used twitter to announce its arrival in Minneapolis although it didn't have a permit to operate in the Twin Cities ⁶⁷

February 28th, 2014: Minneapolis is trying to ban both Lyft and UberX from operating in the city⁶⁸. Lyft said that it will begin operations in Minneapolis this week – ultimately defying a city prohibition on the unlicensed service⁶⁵. Minneapolis insists that Lyft and similar services with driver-owned vehicles should be licensed as taxi companies – which requires a city license for the driver, another for the vehicle with inspections and commercial insurance⁶⁵. Defiance to the city rules will result in drivers being ticketed and vehicles being impounded as the city had done with UberX, which had been operating in Minneapolis for about a month now⁶⁵.

July 18th, 2014: Minneapolis approves Uber and Lyft⁶⁹. Council member Jacob Frey, took a lead role in revamping rules to account for car-for-hire services Lyft and UberX, which have been operating illegally for the past year in Minneapolis⁶⁶. Council member Blong Yang was the only member to vote against the new rules, pointing out that the new regulations would:

⁶⁷ <http://www.startribune.com/how-uber-lyft-bent-the-rules-and-won/416468153/>

⁶⁸ <http://www.aei.org/publication/minneapolis-and-seattle-restrict-ride-sharing-services-lyft-and-uber-as-crony-capitalism-prevails-and-consumers-lose/>

⁶⁹ <https://www.minnpost.com/politics-policy/2014/07/minneapolis-approves-uber-lyft>

- Allow Lyft and UberX to pay one license fee for their entire fleet, while taxicab companies are charged per vehicle with a yearly fee for the company, for each new driver and for inspection fees⁶⁶.

Uber and Lyft had managed to persuade government officials in both Minneapolis and St. Paul to back off and approve the regulations they wanted⁶⁶. There would be no special permits for drivers, no mandatory training and no screening for drivers beyond what the companies chose to do themselves⁶⁶. The Twin Cities have the least-restrictive rule of any of the 25 biggest metro areas⁶⁶. Uber and Lyft managed to do this by building up local followers by giving away free rides and using an aggressive social media campaign to mobilize supporters, who flooded public hearings and deluged local officials with requests for friendly regulations⁶⁶. The attitude was: “We are coming whether you like it or not because we think we have the right to⁶⁶.”

March 16th 2015: Companies like Uber may soon have to cover their drivers’ private vehicles with \$1 million auto policies even before drivers accept a fare in order to close the dangerous lapses in coverage for the drivers⁷⁰.

- Uber Midwest General Manager Michael White stated that this type of legislation affects whether Uber will be able to operate in the state and certain impacts whether they would be able to expand to other cities in the state⁶⁷.
- Minneapolis, St. Paul and six other cities and states across the United States have already passed their own ordinances mandating \$1 million in commercial insurance policies for drivers of the companies who connect fares using smartphone apps however, the coverage does not kick in until the driver accepts a ride request through the app⁶⁷.
- The bill sponsored by Senator Kari Dziedzic, requires that commercial coverage begin as soon as a rideshare driver turns on the app, indicating that he or she is willing to pick up a fare⁶⁷. When the app is offer, drivers revert to their personal policies, which have a minimum coverage of \$30,000⁶⁷.
- The legislation is a response to concerns from 26 state commerce commissions about insurance coverage gaps that originated after a 6 year old was struck and killed in a crosswalk by an Uber driver who was awaiting a fare request in San Francisco⁶⁷
 - Led to a lawsuit against Uber over insurance liability⁶⁷

January 31st, 2017: In cities like Philadelphia, Boston and Minneapolis, Uber ran ads on Craigslist to recruit driver under the pretense that they would make \$20 per hour ⁷¹. However, it turned out that these numbers were a little generous, and U.S Federal Trade Commission recently sued Uber for making misleading and exaggerated claims regarding how much its drivers could expect to earn⁶⁸. While would-be Minneapolis drivers were led to believe that their average earnings would be \$18 per hour, only 10 percent of drivers actually make that kind of money⁶⁸. Rather than fighting the suit, Uber agreed to pay \$20 million to the drivers⁶⁸.

⁷⁰ <http://www.startribune.com/proposed-insurance-requirements-for-ridesharing-has-uber-reconsidering-future-in-minnesota/296510191/>

⁷¹ <http://www.citypages.com/news/minneapolis-uber-drivers-are-making-a-fraction-of-what-the-company-said-theyd-earn/412177123>

June 20th 2017: Minneapolis has become one of the first cities to allow Uber riders to tip their drivers⁷². Along with allowing tipping, the company has announced in an e-mail to drivers that they will receive a fee if a rider cancels after more than two minutes, down from five minutes, and that Uber will pay drivers a per-minute rate when they have to wait for more than two minutes for a passenger⁷²⁹. Uber said it also will offer drivers injury protection insurance among its changes⁷²⁹.

July 7th, 2017: Minneapolis police warned ride share users to take precautions when using the services after an alleged sexual assault involved a man who police say posed as an Uber driver⁷³. The man drove up to the female victim and claimed her was an Uber driver; she claimed that she was sexually assaulted once she got into the car⁷³⁰.

1.7 NEVADA

Jurisdiction: State level

May 30th, 2015: Governor Brian Sandoval has signed two bills to regulate ride-hailing companies like Uber and Lyft⁷⁴.

- AB175 sets up a regulatory framework for ride-hailing companies and imposes a 3% fare tax for taxi and Uber drivers⁷¹.
- AB176 places ride-hailing companies under the jurisdiction of Nevada Transportation Authority⁷⁷⁴

Taxation is projected to raise at least \$70 million over the next two years⁷¹. Uber briefly operated in Nevada last fall before a judge issued a restraining order against the company, saying it wasn't following taxicab regulations⁷¹. Under the new bill, drivers will be required to have commercial insurance policy with \$1.5 million in liability coverage⁷¹.

September 11th, 2015: Local governments can't deny a business license to ride-hailing companies if they've met all the other requirements that apply to the municipality's businesses in general, according to state lawyers from Nevada's Legislative Counsel Bureau⁷⁵. The legal opinion issued Friday comes as Clark County officials work to amend their business license ordinance to create a special category for companies like Uber and Lyft, which allow passengers to hail a ride in someone's personal car using their smartphone⁷². It also comes the same day that the Nevada Transportation Authority adopted final state regulations on ride-hailing companies⁷².

May 29th, 2017: A bill that was amended in the Assembly, could run Uber and Lyft out of business in Nevada⁷⁶. The transportation network companies say the amendment increasing insurance

⁷² <http://www.startribune.com/minneapolis-one-of-first-cities-to-allow-uber-riders-to-tip-their-drivers/429722013/>

⁷³ <http://kstp.com/news/ride-share-safety-uber-lyft-minneapolis/4536478/>

⁷⁴ <http://www.lasvegasnow.com/news/governor-signs-bills-authorizing-companies-like-uber-lyft/84607661>

⁷⁵ <https://www.ksl.com/?nid=151&sid=36473805&title=nevada-adopts-regulations-for-ride-hail-companies-like-uber>

⁷⁶ <https://www.reviewjournal.com/news/2017-legislature/bill-could-force-uber-lyft-out-of-nevada/>

requirements and requiring drivers to get businesses licenses before they begin working would end ride-sharing in Nevada⁷³. Senate Bill 226 began as a measure designed to ensure that contractors who work for the companies obtained state business licenses⁷³.

The Nevada Legislature is voting on four bills that could have a negative effect on ridesharing companies such as Uber and Lyft⁷⁷. These four bills: Senate Bill 226, Senate Bill 279, Assembly Bill 445, and Assembly Bill 487 would require ridesharing employees to obtain a business license before being employed by the company and purchase additional insurance that covers the passengers⁷⁴. They'd also have to obtain a Nevada Transportation Authority decal, similar to those of taxi drivers, and display it on their windshield⁷⁴. Assembly Bill 487 immediately stands out because it places the fate of ridesharing companies in the hand of the Nevada Taxicab Authority⁷⁴.

Alyssa Escudero, who lives in Las Vegas, said she wouldn't even consider taking a taxi even if ridesharing services left Nevada⁷⁸. "I would probably call a friend or something, I just don't think it's worth it to take a cab anymore, especially knowing that there have been other options so you don't have to deal with rude cab drivers⁷⁵." The new regulation would also force them to carry a minimum of \$1.5 millions of insurance coverage while taxis are only required to hold \$300,000 when providing rides to passengers⁷⁵.

June 13th, 2017: Republican Governor Brian Sandoval signed a Democratic bill that will require drivers to prove that they have obtained a \$200 state business license within six months of joining a transportation network company⁷⁹. Drivers who enter into contracts before October 1st will have a full year to prove compliance under the new law⁷⁶. The bill allows the secretary of state to require drivers to turn over other information the office deems necessary to ensure compliance with the law⁷⁶.

1.8 NEW HAMPSHIRE

Jurisdiction: Municipal/State

December 4th, 2015: New Hampshire does not regulate taxis at the state level, instead the State defines what a "taxicab service" is, and leaves the regulatory decision making up to each town or city⁸⁰

- The public reaction to Uber in New Hampshire has varied from place to place:
 - Nashua: Uber has operated since early 2015, allows the service, but requires that drivers register with the city⁷⁷

⁷⁷ <https://www.ktnv.com/news/how-the-taxi-industry-may-have-influenced-bill-that-chases-uber-lyft-out-of-las-vegas>

⁷⁸ <http://www.fox5vegas.com/story/35542270/uber-and-lyft-say-they-will-die-and-leave-nevada-if-new-bill-passes>

⁷⁹ <https://www.usnews.com/news/best-states/nevada/articles/2017-06-13/nevada-will-force-uber-drivers-to-prove-business-licensure>

⁸⁰ <https://www.lawyersnh.com/uber-legal-in-new-hampshire/>

- Manchester, where there has been prolonged debate over the issue, has recently demanded that Uber drivers pass state background checks (in addition to the private checks performed by Uber)⁷⁷
- Portsmouth requires all drivers (Uber or taxi) to provide proof of commercial personal injury and property damage liability insurance and a background check⁷⁷
 - The city eliminated its taxi commission, paving the way for Uber to operate in the city⁷⁷
 - Despite its new legal status in Portsmouth, an Uber driver received a citation for failing to comply with these new regulations in October 2015⁷⁷

June 3rd, 2016: New Hampshire lawmakers passed a bill to set statewide regulations on Uber and similar ride-for-hire companies⁸¹. The measure is similar to laws in more than two dozen other states. Those laws are considered very favorable to Uber⁷⁸:

- Requires the companies to conduct background checks
- Commercial insurance while drivers are on the system
- Uber will also need to pay \$500 to register with the state
- The law supersedes any local laws governing the industry
 - This means that laws passed in Portsmouth, which the company and most of its drivers contested will no longer matter

June 23rd, 2016: Governor Maggie Hassan signed into law new statewide regulations for ride-sharing companies like Uber and Lyft⁸².

1.9 NEW YORK

Jurisdiction: State and municipal level

April 11th, 2017: The latest budget deal paves the way for companies like Uber and Lyft to operate upstate⁸³. Albany-area Democratic Assemblywoman Pat Fahy says ride-sharing offers a multitude of benefits such as: helping local economic development, allow people to go out and have a drink or two without worrying about driving responsibly and is a safety measure for college students as well⁸⁰. Uber and Lyft currently operate in New York City under a 2001 arrangement through existing taxi laws that will not change⁸⁰. Several upstate law enforcement officials, support ride-sharing as a means of cutting down drunk driving crashes and fatalities⁸³. Drivers must be at least 19 years old⁸⁰. Groups that opposed ride-sharing in New York called for drivers to be fingerprinted, but lawmakers opted to impose a rigorous screening process that includes criminal background checks⁸⁰. According to Fahy, the Department of Vehicles will have “broad oversight” of the industry – “it will be regulated by the DMV (Department of Motor

⁸¹ <https://www.boston.com/news/business/2016/06/03/new-hampshire-set-regulate-uber>

⁸² <http://nhpr.org/post/governor-hassan-signs-uber-bill-law#stream/0>

⁸³ <http://wamc.org/post/ride-sharing-becomes-legal-statewide-under-new-new-york-state-budget>

Vehicles. Any driver will now have to have a certain minimum of insurance in their cars, even when they're just looking for a passenger.⁸⁰

- The minimum required is set at \$75,000 per person for death and bodily injury, \$150,000 per occurrence for death and bodily injury and \$25,000 for property damage⁸⁰
- During "Period Two" – when the driver has accepted a passenger – and "Period Three" – when a passenger is being transported and until that passenger is discharged – a \$1.25 million liability insurance policy is required along with \$1.25 million in supplementary uninsured/underinsured motorist coverage⁸⁰

Ridesharing is not a sure thing everywhere: New York's four biggest cities – Yonkers, Syracuse, Rochester and Buffalo – can choose whether to allow the services to operate within city limits⁸⁰

May 23rd, 2017: Uber admitted that it had collected tens of millions more from NY city drivers than it should have over a nearly three-year span dating back to November 2014⁸⁴. Tens of thousands of drivers in NY city were shortchanged, Uber acknowledged, and will now collect an average of \$900 each in reimbursements, which includes interest on the lost earnings⁸¹.

June 29th, 2017: Uber and Lyft, long operating in New York City, are now allowed to operate in the entire state⁸⁵. Legislation signed by Gov. Andrew Cuomo went into effect June 29, bringing Uber and Lyft to upstate New York, Long Island, Westchester and pretty much the rest of the state⁸². Ride-hailing drivers have worked in other parts of the state before, but local legislation banned the services from some areas, including much of Long Island⁸². The new law allows ride-hailing throughout the state – with specific regulations surrounding background checks and other concerns – but permits local governments to opt out if they wish⁸². Westchester came close, but ultimately went ahead with the services⁸².

January 11th, 2018: Uber has agreed to pay \$3 million to settle a lawsuit brought by thousands of New York drivers⁸². Drivers alleged the ride-hailing company failed to fully pay them what they believed they were due, such as overtime and tips, while charging them excessive service fees⁸⁶. In the settlement agreement, Uber denied the allegations but agreed to settle in order to avoid further legal expenses⁸⁶.

April 2nd, 2018: As part of the budget that New York lawmakers passed, ride-hailing services and taxis face a new fee if they drive in Manhattan⁸⁷. Uber and Lyft will face a \$2.75 charge for each ride, taxis get a \$2.50 increase and group ride services like Via and UberPool will be charged \$0.75 per customer⁸⁴. It's meant to combat congestion and help fund subway repair and improvements, providing an expected \$400 million per year⁸⁴. Uber supports the agreement between the Governor and the Legislature to target a per-trip fee on Manhattan riders where there is convenient access to public transit, and to adopt a first-in-the-nation tax discount on shared trips⁸⁴.

⁸⁴ https://www.washingtonpost.com/news/dr-gridlock/wp/2017/05/23/uber-admits-it-underpaid-tens-of-thousands-of-drivers-in-new-york/?noredirect=on&utm_term=.f93e744a76b0

⁸⁵ <https://mashable.com/2017/06/29/uber-lyft-new-york-state/#9TZquFfKVOq8>

⁸⁶ <https://www.cnet.com/news/uber-pays-3m-to-settle-suit-with-new-york-drivers/>

⁸⁷ <https://www.engadget.com/2018/04/02/new-york-surcharge-uber-lyft-manhattan/>

APPENDIX 3: OCEANIA

Note: All summaries are verbatim of the news articles cited.

1.1 AUSTRALIAN CAPITAL TERRITORY

Jurisdiction: State level

October 30th, 2015: Uber X was launched in the ACT on Friday, with Canberra becoming the first city in Australia to regulate ride sharing⁸⁸. The ACT Government passed legislation to allow ride share services, like Uber, to operate in the Territory⁸⁵. Uber's Australian general manager David Rohrsheim stated that there were about 100 approved Uber drivers in Canberra who were ready to work⁸⁵. He said Canberra's new regulations enshrined in law what his company has already been doing in most other states and territories⁸⁵. The ACT government put in place regulations and background checks, vehicle inspections and insurance, all of which we've had from day one, he said⁸⁵.

- The reforms will take effect and be delivered in two stages⁸⁹:
 - Stage 1 is an interim phase that allows authorized ridesharing and other innovative booking services to operate subject to safeguards such as criminal history and driver history checks of drivers⁸⁶. It will also deliver an immediate reduction in fees or taxis and hire cars⁸⁶.
 - Stage 2 involves the introduction of new laws into the Legislative Assembly to introduce the full suite of reforms, including driver accreditation requirements for rideshare and reduced regulation for taxis and hire cars⁸⁶. The new laws will be introduced by October 30th, 2015 and subject to debate and commencement at a later date⁸⁶.
 - Companies providing booking services to taxis and rideshare drivers will be regulated as Transport Booking Services (TBS)⁸⁶. This means there won't be a taxi "network" anymore and companies like Aerial, Uber and goCatch will need to become TBSs⁸⁶.

August 1st, 2016: From August 1st, 2016 anyone wanting to provide a rideshare service is required to meet the new regulatory requirements set out under the Road Transport (Public Passenger Services) Regulation 2002 and the Road Transport (Driver Licensing) Regulation 2000⁹⁰. This means if you intend to drive a rideshare vehicle you will have to⁸⁷:

- Upgrade your driver license to obtain a "D" condition
- Present a passed roadworthy certificate and upgrade the vehicle's registration with the appropriate rideshare compulsory third party insurance premium
- Obtain rideshare driver accreditation and a rideshare vehicle license

⁸⁸ <http://www.abc.net.au/news/2015-10-30/uber-launches-in-canberra/6898514>

⁸⁹ http://www.cmd.act.gov.au/__data/assets/pdf_file/0005/778568/160215_ACT-TaxiIndustryReforms_Rideshare.pdf

⁹⁰ https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/3283/~/rideshare-accreditation-and-licensing-in-the-act

- Obtain a working with vulnerable people registration

November 1st, 2016: All rideshare booking services, including those using a web based app, are required to be accredited to operate within the ACT⁸⁷.

November 8th, 2017: Public vehicle driver licence holders will be required to hold a working with vulnerable people registration under the Working with Vulnerable People (Background Checking) Act 2011⁸⁷.

1.2 NEW SOUTH WALES

Jurisdiction: State level

December 17th, 2015: Australia's New South Wales (NSW) declared ridesharing service Uber legal in the country's most popular state, making it the second jurisdiction to give the US based firm the green light as other areas continue to review its legality⁹¹. The state cabinet of NSW, which encompasses Sydney, found in favor of the service while also approving compensation measures for taxi drivers and announced the establishment of a new regulator⁸⁸. The State Premier Mike Baird said taxi license plate owners would receive unspecified compensation that would be funded jointly by the NSW government and a short-term levy on Uber's service⁸⁸. Baird didn't disclose details of the planned levy⁸⁸.

- According to the Telegraph, the nearly 6000 perpetual taxi plate owners in New South Wales will be allocated compensation of \$20,000 per plate – and be allowed to continue operating in the same capacity as they already do – up to a maximum of \$40,000 per owner⁹².
- Additional funds will be set aside to further compensate owners who only purchased plates recently; the entire fund will cost nearly \$120 million for the state⁸⁹.
- Uber drivers in the state will have to pay a separate licence fee, undergo regular car safety testing, and will be required to undertake criminal background checks⁸⁹. Uber drivers will also not be allowed to pick up passengers from Sydney Airport, and taxis will continue to have exclusive rights to pick up hailing passengers from the street and from taxi ranks⁸⁹.
- The Sydney Airport restriction will likely require passengers to leave a specific area; short trips to the next station on the Airport train line to a likely Uber hotspot will cost consumers around \$8⁸⁹.

January 4th, 2016: Uber is now legal in NSW. Whether you are a driver or a passenger of Uber, it is important that you take some time to understand your rights⁹³.

1. Uber's responsibility for your driver is limited⁹⁰:
 - Uber requires all customers agree to their terms and conditions before using the service. This limits Uber's responsibility for your driver's quality, safety,

⁹¹ <https://www.reuters.com/article/us-uber-australia-idUSKBN0U00MS20151217>

⁹² <https://www.gizmodo.com.au/2015/12/uber-is-now-legal-in-nsw/>

⁹³ <https://legalvision.com.au/4-things-uber-legal-nsw/>

- sustainability and ability. Further, if you find yourself subject to an assault in an Uber vehicle, you can charge and prosecute your driver. However, you will most likely be unable to recover any compensation from the company. In 2014, this unfortunate incident occurred in India. Uber denied any responsibility for the criminal actions of the driver.
- Taxi companies will have an insurance policy to cover and compensate victims in the event of an assault. However, Uber's insurance policy is controlled by each individual driver.
 - When you accept the terms and conditions, you acknowledge that you may expose yourself to situations involving unsafe, offensive or objectionable drivers and that you do so at your own risk. If your driver is negligent and has a collision that injures you in some way, Uber has no obligation to accept responsibility. You would need to pursue the individual driver to receive any compensation and the amount that you receive is dependent upon that driver's insurance policy.
2. You are responsible for any damage that you cause in the driver's car:
 - Uber does not accept responsibility for any damage a passenger causes to a driver's vehicle⁹⁰.
 3. Drivers have a limited course of action a dispute arises⁹⁰:
 - If a driver finds themselves in a dispute with the ride-sharing company, they are only allowed to conduct the dispute through mediation or arbitration. According to Uber's term and conditions, the mediation or arbitration must occur in Amsterdam. This may render the dispute either pointless to argue or very expensive to pursue.
 4. Drivers are not entitled to holiday or sick pay⁹⁰:
 - Since Uber drivers are self-employed and independent third-party contractors, drivers have no rights to holiday or sick leave. Problems can then arise for drivers looking to drive for Uber as a replacement for full-time work.

June 10th, 2017: In a radical change to how the state's taxi industry is regulated, drivers will be allowed to turn off their meters and offer a lower fare⁹¹. Barbara Wise, transport commissioner, said, "If you're hailing a taxi in the street or taking it from a rank, it will be maximum fare⁹⁴. They'll need to have the price (per km) on the window⁹¹. But if it is through an app or on the phone, or any other way that it might be booked, it would be a negotiated fare⁹¹." The new rules are expected to come into effect later this year, giving taxi companies time to prepare for added responsibilities for work, health and safety law, previously left to drivers as independent contractors⁹¹. The Government had allocated \$250 million to compensate owners, including \$98 million for \$20,000 payments per license to owner drivers and \$142 million for helping taxi license holders facing difficulty due to the change⁹¹.

⁹⁴ <http://www.news.com.au/finance/small-business/your-taxi-ride-is-about-to-get-cheaper/news-story/84187911b2865c8c731f31653000d5ac>

November 1st, 2017: Taxi drivers in New South Wales will now be able to set their own fares for trips booked by phone or app, and offer specials such as “cheap Tuesdays⁹⁵.” In a bid to level the playing field, soon all Uber rides will incur a \$1 levy to help compensate cab drivers⁹². Other states are also rolling out changes – and according to the national body representing taxi drivers, Victoria is leading the charge⁹².

January 30th, 2018: Uber has sent out an email to NSW users warning them about a \$1 levy which will be charged on each ride by the State Government from Thursday⁹⁶. The tax applies to every trip made in taxis, hire cars and ridesharing services like Uber in the majority of the state⁹³. Passengers would be charged \$1 plus GST for each ride, on a temporary basis, which would go towards a \$250 million taxi compensation package for the taxi industry⁹³. It would be up to each service provider to decide whether to absorb the levy, or to pass it on to their NSW customers⁹³. A source from Uber confirmed that customers will bear the burden of this new tax⁹³.

1.3 NEW ZEALAND

Jurisdiction: Country level

April 22nd, 2016: Taxi and ride-sharing companies such as Uber are to be governed by one set of rules, after pressure for a shake up from both sides⁹⁷. Transport Minister Simon Bridges and Associate Transport Minister Craig Foss announced the changes last night⁹⁴.

What will no longer be required⁹⁴:

- Area knowledge certificate is dropped – GPS technology will do the job instead
- Removal of the need to display information about fares
- Companies or operators won't need to belong to an approved taxi organization, such as the Taxi Federation
- Driver panic alarms monitored 24/7 are no longer a must-have
- Don't have to demonstrate an ability to “communicate in English”

What stays the same⁹⁴:

- Drivers of taxis and Uber cars will still undergo a police check (automatic when they get what is called a “P endorsement”
- Most vehicles will still have security cameras but companies like Uber can apply to be exempt
- Drivers' time behind the wheel will continue to be limited

The changes will be considered by Parliament as part of the Land Transport Amendment Bill this year, but are unlikely to come in before the next year⁹⁴. Taxi Federation executive director

⁹⁵ <http://www.abc.net.au/radio/programs/pm/uber-changes/9109552>

⁹⁶ [http://www.abc.net.au/news/2018-01-30/uber-sends-out-email-about-nsw-governments-\\$1-tax-on-rides/9376686](http://www.abc.net.au/news/2018-01-30/uber-sends-out-email-about-nsw-governments-$1-tax-on-rides/9376686)

⁹⁷ <http://thewireless.co.nz/articles/taxi-and-uber-drivers-will-have-to-follow-the-same-rules>

Tim Reddish said the new regulations would even out the playing field, but he sees some problems as well – particularly with panic alarms to be removed from taxis⁹⁴. “Since panic alarms have been in there and since cameras have been in there, we’ve had no murders, no serious assaults and passenger behaviour has been considerably modified⁹⁴.”

Simon Bridges (Transport Minister) said that safety remained paramount⁹⁴. “We are keeping the P endorsements, with the criminal checks, and also as the wider character checks that will need to be conducted by the Police and the New Zealand Transport Agency⁹⁴.” He also said some rules that imposed costs on operators but no longer provides any significant benefits, would be removed⁹⁴.

April 30th, 2016: Uber is under attack from the New Zealand Transport Agency, which warns its drivers that they will face fines if they don’t operate within the law⁹⁸. Uber is also facing an internal revolt with existing drivers complaining new fares make it hard to run at a profit⁹⁵. Last week, Uber announced it would cut fares 20 per cent and slash the cost of becoming a driver from up to \$2000 to \$20, which will take just six days via a third party company⁹⁵.

- Uber’s director in policy stated, “ The product that we’ve had thus far in New Zealand has not been a ride-sharing service, it’s been licensed professional drivers, but the ride-sharing service that we’re now offering is everyday people... who have undergone all the appropriate screening processes that we’ve put them through and are able to operate one day a week...because the barriers for entry are low enough that they’re now able to operate in that way⁹⁵.
- Under the new restrictions, Uber drivers must have held a NZ license for two or more years, use a car no older than 2006, have their criminal and driving record checked and hold third party insurance⁹⁵.
- But the New Zealand and Transport Agency did not accept that Uber was operating a ride-share service and said anyone found to be transporting a passenger for payment without the proper passenger endorsement license would be at risk of a \$500 fine⁹⁵.
- The agency’s group manager for access and use, Celia Patrick, said Uber’s new driver requirements were illegal⁹⁵. “They are not operating within regulations... and we will issue warnings or infringements and can take people to court⁹⁵.”
 - She also said the specific licenses were in place for safety reasons and the new Uber background checks were “far less rigorous than the mandatory background checks, medical checks and examinations of a range of other risk factors which are carried out by the Transport Agency⁹⁵.”
- “You won’t know who you’re getting in the car with and whether they’re safe to be on the road⁹⁵.”
- One Uber driver worried the new requirements meant qualified, professional drivers would be replaced by “cowboys” keen to make some easy money⁹⁵.

⁹⁸ https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11631165

July 6th, 2016: Uber will continue to allow drivers on to the roads without having them police vetted, despite the New Zealand Transport Agency (NZTA) ruling it illegal⁹⁹. Uber head of operations Richard Menzies said it had alternative ways to meet the same safety requirements as the Transport Agency endorsement⁹⁶. He said that Uber ran Ministry of Justice criminal history and Transport Agency driving history checks on its drivers⁹⁶. He stated:

- “We won’t accept any disclosable record on the platform and their driving history has a very high standard as well – no loss of life, no drunk driving offences, anything along those lines⁹⁶.”

But NZTA said that was only a small part of what drivers would normally go through in a vetting process and some passengers could be at risk⁹⁶. Other checks include charges laid by police but not yet heard in court and any history of behavioural problems and complaints made to police⁹⁶. To this he said:

- “passenger endorsement was a subjective test and although Uber’s process was different to that of NZTA, in a number of ways it is actually a higher standard. With a passenger endorsement you can actually come onto the road with certain criminal records in the past⁹⁶.”

March 29th, 2017: Uber is seeking further changes to New Zealand laws for taxi services, saying that reforms before Parliament do not go far enough¹⁰⁰. The company is understood to be lobbying Transport Minister Simon Bridges to amend a law which would require it to collect logbooks from its drivers or present vehicles for inspection at short notice⁹⁷. The clause is part of reforms which are expected to return to Parliament soon, and will bring taxis, shuttles, private hire vehicles and dial-a-driver services into a single category⁹⁷. The law changes already make significant concessions to companies like Uber, by making it easier for drivers to get the required background and compliance checks and by scrapping safety requirements such as in-taxi cameras⁹⁷.

- Uber said that the legislation failed to distinguish between traditional taxi companies or operators and facilitators like Uber which simply matched up drivers with passengers⁹⁷. It would require Uber to present vehicles for inspection “at a moment’s notice,” despite the fact it did not own or operate the cars⁹⁷. It would also require the company to keep fuel receipts and collect logbooks from its 400 drivers – something it described as “an unfeasible administrative burden⁹⁷.”
- The country’s largest taxi group, Blue Bubble taxis, said the changes also put passengers and drivers at risk by getting rid of a requirement for CCTV cameras in small passenger vehicles – an initiative which was introduced in 2011 after the death of two taxi drivers⁹⁷.
- The reforms have already angered traditional taxi companies because they remove requirements for drivers to pass area knowledge and English language tests⁹⁷.
- The Government had said language and area knowledge tests had been made redundant by GPS technology⁹⁷.

⁹⁹ <https://www.radionz.co.nz/news/national/308034/uber-will-continue-to-defy-licensing-rules>

¹⁰⁰ https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11827936

August 27th, 2017: Uber intends to start operating legally when changes to passenger service vehicle laws come into effect in October¹⁰¹. Uber recently emailed its approximately 4000 New Zealand drivers, saying the company planned to get a small passenger service license (SPSL), which all drivers would be able to operate under⁹⁸. Those currently driving for the company without a passenger endorsement were sent an emails assaying Uber would guide them through the new processes to gain the endorsement⁹⁸.

September 23rd, 2017: Rules are being relaxed for Uber and taxis in New Zealand¹⁰². The new rules, which Uber lobbied the Ministry of Transport for, include cheaper and faster P endorsements for drivers to allow them to carry passengers legally⁹⁹. Many Uber drivers have been operating illegally with no P endorsements on their licenses, as Uber did not require drivers to have them⁹⁹. An Uber spokesperson said the company would follow the new regulations when they came into force on October 1st⁹⁹. The new rules also change the requirement for in-vehicle cameras – there is an exemption for services provided only to registered passengers who provide their details in advance⁹⁹. The requirement for all taxis to have in-vehicle cameras was introduced in 2011 after two drivers were murdered⁹⁹. There would no longer be any requirement to pass area knowledge or English language tests⁹⁹. Drivers would still be required to keep logbooks, which Uber had objected to⁹⁹. The new law was introduced to Parliament by Transport minister Simon Bridges just over a year ago, and passed last month⁹⁹.

- He said that law needed to keep up with the technology: “New technologies are rapidly emerging, so we need to ensure we have the right regulations in place to allow innovation to thrive while managing safety risks⁹⁹.”

1.4 NORTHERN TERRITORY

Jurisdiction: State level

February 22nd, 2016: Ride-sharing service Uber will be banned from operating in the Northern Territory, the NT Government has announced¹⁰³. Cabinet shot down the proposal and has decided not to make any changes to allow the company to operate legally in the jurisdiction¹⁰³⁰⁰. The question of whether to make legislative changes to allow Uber to operate legally was under discussion ahead of the Government’s final Commercial Passenger Vehicle Industry Review Report¹⁰³⁰⁰. Transport Minister Peter Chandler stated that the Cabinet made the final call not to go ahead with changes to legislation¹⁰³⁰⁰. NT Taxi Council executive officer Les Whittaker said he was pleased with the Government’s decision to ban Uber¹⁰³⁰⁰.

- A code of practice and further recommendations to the taxi industry also came out of the Commercial Passenger Vehicle Industry Review Report, including a “mystery

¹⁰¹ <https://www.stuff.co.nz/business/96051729/uber-to-follow-new-transport-laws-by-getting-drivers-to-obtain-passenger-endorsements>

¹⁰² https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=11925596

¹⁰³ <http://www.abc.net.au/news/2016-02-22/nt-govt-bans-ride-sharing-company-uber/7190848>

shopper” program to increase standards, 13 more taxi licenses for more competition, and a cap on surcharges of 5 per cent¹⁰⁴.

- Mr. Chandler doesn't rule out Uber being introduced into the territory in the future, saying: "It may just be a bridge too far to put these big reforms into an industry and at the same time accept that Uber might go into the NT¹⁰¹. Companies like Uber may operate here one day. If an when they do let's make sure we've the right regulation¹⁰¹."

June 26th, 2016: Ridesharing company Uber could have cars on the road in Darwin by 2017 if Labor wins August's Territory election¹⁰⁵. Opposition Leader Michael Gunner said yesterday that Labor would start negotiations with Uber within months of the election¹⁰². Mr. Gunner said the negotiations would revolve around safety regulations and legislative changes that would be needed¹⁰². But he declined to comment on any conditions he would demand of Uber which, if not met, would result in Labor walking away from the negotiation table¹⁰².

April 28th, 2017: The Northern Territory Government announced the new regulatory model to allow ridesharing in the Northern Territory, while also levelling the playing field for the existing commercial passenger vehicle (CPV) industry¹⁰⁶. The new regulatory model will come into effect in two stages, with Stage 1 commencing on December 1st, 2017: Stage 1 of the implementation plan includes¹⁰³:

- The introduction of regulations to allow drivers to apply to become a rideshare driver
- Online application forms for new ridesharing drivers
- Rideshare platforms being able to apply to operate in the Territory
- A code of conduct
- Vehicle maintenance and standards

In stage 2 of the plan, from February 1st, 2018, ridesharing services will be able to commence operation¹⁰³. The per trip levy and reduction in licence fees for existing CPV operators will also commence from this date. Ridesharing services will be able to operate Territory wide¹⁰³.

April 28th, 2017: Ride-booking company Uber has said it will not go ahead with plans to launch in the Northern Territory under the Government's new regulatory model announced today¹⁰⁷. Uber spokesman Mike Scott stated that the changes and the new fees put forward by the Government would be too costly and the barriers for entry too high for drivers, especially those who use the app as a form of top-up income, rather than full-time work¹⁰⁴. While Uber agreed with requirements for background and safety checks and vehicle inspections, Mr. Scott said the vehicle license fee for Uber cars for \$300 was too high¹⁰⁴. That was three times the amount recommended by the steering committee to the NT Government which means the cost to get new drivers on the road would be \$600¹⁰⁴. Mr. Scott said higher upfront costs would deter

¹⁰⁴ <https://www.gizmodo.com.au/2016/02/uber-is-now-banned-in-the-northern-territory/>

¹⁰⁵ <https://www.ntnews.com.au/business/labor-planning-to-allow-uber-to-operate-in-northern-territory-if-it-wins-august-election/news-story/77a12b0cfb612b880e633342226b9af2>

¹⁰⁶ <https://dipl.nt.gov.au/transport/transport-strategies-and-plans/commercial-passenger-vehicle-reforms/ridesharing>

¹⁰⁷ <http://www.abc.net.au/news/2017-04-28/uber-backs-away-from-nt-launch-in-face-of-new-govt-regulations/8478060>

drivers who want to use ride-booking flexibly to earn extra income on the side, or for short periods and said half of all Australian Uber drivers worked fewer than 10 hours per week¹⁰⁴. Mr. Scott said Uber still wanted to enter the NT market and hoped to continue negotiating with the Government to reach a proposal that found more satisfactory¹⁰⁴. Under the NT Government's new framework to permit ride-booking services to operate in the jurisdiction, released on Friday, taxi and Uber passengers will pay an extra \$1 per trip¹⁰⁴. Under the new framework, the cost of owning a taxi license will drop by 75 per cent, with the annual fee in Darwin reduced from \$20,240 to \$5000¹⁰⁴.

- Ms. Manison said the new regulations was "a very fair plan to create a level playing field for new entrants and existing players" in the NT's transport industry¹⁰⁴. This is about providing a fair and safe option for Territorians, who overwhelmingly want ridesharing in the Territory¹⁰⁴. A criminal history check from drivers is not optional¹⁰⁴.
- The Government said the ride-sharing model would be introduced in late 2017¹⁰⁴.

May 2nd, 2017: The Northern Territory Government plans to implement a regulatory model to legalise ride-sharing services such as Uber later this year, while aiming to sustain jobs for the taxi cab industry¹⁰⁸. Minister for Infrastructure, Planning and Logistics Nicole Manison released the details for changes to allow ride-sharing services in the Northern Territory¹⁰⁵. She said the government has listened to industries, businesses and the communities¹⁰⁵.

- "A key way we are rebuilding trust in Government is delivering on our promises, including bringing ride-sharing to the Territory in 2017¹⁰⁵. There was significant support from the public to bring a safe and accountable ride-sharing transport option to the Territory and we are the last jurisdiction in Australia to do so¹⁰⁵. The regulatory model worked through with the Ridesharing Steering Committee will deliver changes to level the playing field between existing taxi services and ridesharing¹⁰⁵."

The model will greatly decrease the yearly licence fee for Commercial Passenger Vehicle (CPV) operators in NT¹⁰⁵. The model will also retain the current cap on taxi licence numbers in Alice Springs and Darwin¹⁰⁵. To offset the reduction in licence fees, a \$1 per trip levy will be applied to all services including taxi, minibus, private hire and Uber¹⁰⁵. The new regulatory model corresponds with the Territory government's 5-point plan, which included¹⁰⁵:

1. Consultation: Territorians have been consulted through an online survey to help design an easy and effective set of rules for all ride-sharing services, including Uber, to operate.
2. Steering Committee: A Steering Committee was formed and it embraces representatives from the Commercial Passenger Vehicle industry, the Taxi Council of the NT and other community groups to advise Government.
3. Safety and fair working conditions: Making things fair for passengers and drivers to ensure safety and fair working conditions.
4. Smart, open and fair regulation: Regulation guidelines will be directed by the National Sharing Economy Principles: primary property is yours to share; new services must support good wages and working conditions; everyone must pay their fair share of tax; proper protection for public safety; access for all; and playing by the rules with zero tolerance for breaches.

¹⁰⁸ <https://www.canstar.com.au/news-articles/uber-now-legal-northern-territory/>

5. Implementation via legislation in 2017: Legislation will be introduced to parliament in 2017 to permit Uber and other ride-sharing transport services to operate in the Northern Territory.

February 1st, 2018: Hi Oscar starts up as first rideshare company in the Northern Territory¹⁰⁹.

1.5 QUEENSLAND

Jurisdiction: State level

May 15th, 2017: A state parliamentary committee said the Personalized Transport Legislation should be accepted by MPs, but with 16 recommendations¹¹⁰. The proposed raft of legal changes include a register of banned drivers, rules stopping Uber drivers pulling double shifts, and a review of whether security cameras are needed in private cars¹¹⁰⁰⁷.

- In the report, committee chair Shane King said not everyone agreed on the proposed requirement for only taxis to have security cameras installed¹¹⁰⁰⁷
- The review therefore recommended driver and passenger safety in ride-booking vehicles be reviewed after 18 months, and if it shows there is a “higher risk profile in vehicles without cameras,” then the Minister would consider introducing a requirement for security cameras in every vehicle used in the personalized transport industry¹¹⁰⁰⁷.
- RACQ spokesman Paul Turner said while some of the proposed amendments were positive, installing security cameras in private cars and introducing annual fees for operators would make the transport option unviable¹¹⁰⁰⁷
- It is important to remember that riders and drivers don’t need to handle cash with Uber as payment is managed electronically through the app¹¹⁰⁰⁷
-

May 24th, 2017: Ride booking services like Uber will now have to be licensed and pay annual license fees in Queensland after new laws were passed in State Parliament¹¹¹. A spokeswoman for Road Safety Minister Mark Bailey said individual ride-sharing drivers would now need to pay an annual fee of \$237.26¹⁰⁸. The figure does not include the cost of other requirements under the new laws, such as criminal history checks, vehicle safety inspections and driver authorization applications¹⁰⁸. Uber said the new laws would make Queensland one of the most expensive places in Australia to become a ride-share driver¹⁰⁸.

- Uber Queensland state manager Alex Golden said the State Government “got it right” last year with its first raft of safety regulations: “The new fees introduced in this bill create no additional safety or consumer benefits – they just make Queensland one of the most expensive places in Australia to become a ride-share driver¹⁰⁸”
- The law also imposes stricter restrictions on drivers of ride-booking services, such as a zero alcohol requirements and fatigue management¹⁰⁸.

¹⁰⁹ <http://www.abc.net.au/news/2018-02-01/hi-oscar-rideshare-arrives-in-the-nt-darwin/9382054>

¹¹⁰ <http://www.abc.net.au/news/2017-05-16/uber-taxis-ride-booking-new-laws-security-cameras-queensland/8528356>

¹¹¹ <http://www.abc.net.au/news/2017-05-25/new-ride-booking-uber-laws-queensland-pass-parliament/8556922>

- These were the same requirements imposed on taxi drivers and the laws went a small way to levelling the playing field for app-based services and taxis¹⁰⁸.
- Taxi Council of Queensland CEO Benjamin Wash said the legislation still did not level the playing field¹⁰⁸. In fact, the legislation enshrines a different cost structure for what is essentially the same service¹⁰⁸. It's still strangers picking people up and dropping them off¹⁰⁸.
 - "The fact that there's no cameras and there's no minimum conditions for personalized transport drivers or people in booked hire services, it beggar's belief that the Government's dropped the ball so badly on this¹⁰⁸."

October 1st, 2017: Ride-booking operators and drivers, such as those from Uber Technologies, will need licenses to offer their services in the Australian state of Queensland under new regulations¹¹². The eligibility tests for drivers and booking entities will be the same for all those offering personalized transport¹⁰⁹. Applications opened on Sunday and ride-hailing drivers must have a license by January 15th, while anyone who arranges bookings for such a service must have a permit by December 1st¹⁰⁹.

- "This allows us to ensure all parties are fit and proper to provide services that are of the high standard that Queenslanders expect when using a taxi or ride-booking service¹⁰⁹"
- Queensland will also require booked-hire vehicles to display signs that clearly identify which entity it is operating under and that are clearly visible from at least 20 metres away¹⁰⁹.
- A new class of compulsory third-party insurance for booked hire and limousines will apply¹⁰⁹.

1.6 SOUTH AUSTRALIA

Jurisdiction: State level

April 12th, 2016: The South Australian government announced new rules today to legalize Uber and other ride sharing services as part of it¹¹³. But the local taxi industry isn't happy about the changes¹¹³¹⁰. The assertion from Premier Jay Weatherill that the reforms offer a level playing field is completely unfounded – instead we are seeing less regulation for ridesharing and a minimal shift in regulation applied to taxis¹¹³¹⁰. As a part of the new changes, the state's 1137 taxi license plate holders will each receive \$30,000 by the state government, funded by an extra \$1 levy on all taxi and ride share fares¹¹³¹⁰. On top of that, taxi fares will increase across the board from July 1st, as well as a further 20% tariff on Friday and Saturday nights¹¹³¹⁰. Rules have also been relaxed around what cars can be used as cabs, to include smaller four door models such as the Toyota Corolla or Hyundai i30, bringing down vehicle costs¹¹³¹⁰. New licenses will be frozen over the next five years and taxi drivers will still have exclusive rights to hail passengers and use ranks, while Uber drivers won't be allowed at airports¹¹³¹⁰. While the details have yet to be revealed, it will also be much more costly and take longer for a ride-share driver to be

¹¹² <https://www.smh.com.au/business/uber-drivers-need-licences-in-queensland-by-january-20171001-gys423.html>

¹¹³ <https://www.businessinsider.com.au/south-australias-taxi-industry-isnt-happy-with-the-new-uber-laws-2016-4>

accredited than in other states¹¹³¹⁰. The South Australian compensation deal is 50% more generous than the New South Wales offer, which is paying taxi plate owners \$20,00-, capped at two plates per person¹¹³¹⁰. New South Wales is spending \$250 million on industry restricting, also funded by a \$1 levy on all taxi and ride sharing fares¹¹³¹⁰. It is also much easier and cheaper for ride sharing drivers to get accredited in New South Wales, with just a \$45 fee and a few days to process after security and car checks¹¹³¹⁰. South Australia's new ride sharing rules will come into play on July 1^{st11310}.

March 31st, 2017: The UberX service had been operating in South Australia since last year, but without a license, meaning drivers have been breaking the law¹¹⁴. The accreditation moves announced by the South Australia Government have been accompanied by raft of new laws to be introduced later this year¹¹¹. They include demerit points, license suspensions or disqualifications for driving or providing a passenger transport without appropriate accreditation and enabling a court to order the recovery of any profits obtained that way¹¹¹. The Government has also announced plans for a \$1 levy on all paid-for passenger transport rides, including those by taxis and chauffeur vehicles – which has been criticized by both Uber and the taxi industry¹¹¹. That will, among other things, contribute to compensation payments to taxi licence holders¹¹¹. While Uber has agreed to become accredited, it has done so on the basis the State Government review its compulsory third party insurance premiums, something the Government has vowed to look into by the end of the year¹¹¹. Adelaide Taxi Licence Owners Association (ATLOA) secretary Kim Woolford said cab drivers and licence plate owners had taken a big hit since ride-booking services entered the market¹¹¹. The value of the plates is worth very little in comparison to what they were two years ago, they've gone down from over \$400,000, but the average price these days is about \$150,000¹¹¹.

November 1st, 2017: Uber drivers would be forced to operate under the same rules as cabbies under tough new legislation introduced to State Parliament¹¹⁵. Penalties include demerit points, license supervisions and disqualifications for driving a public passenger vehicle or providing a passenger transport service without holding the appropriate accreditation¹¹². Similar penalties will apply for people who drive a vehicle without a current inspection certificate¹¹². Uber drivers – many of whom are cab drivers off-shift – will also penalize drivers for the breaches of the companies they do casual work for, accept or intend to accept a booking from an unaccredited Transport Booking Service or unaccredited operator will also be introduced, again with penalties including demerit points, license suspensions or disqualifications¹¹². Transport Minister Stephen Mullighan said if passed the new laws would¹¹²:

- Allow courts to recover profits obtained from an offence
- Bring in temporary automatic suspension of accreditation for drivers charged with a serious criminal offence, disqualified from holding or obtaining a driver's license
- Simplify proof needed to decide if an offence has been committed

¹¹⁴ <http://www.abc.net.au/news/2017-03-31/uber-to-be-accredited-in-south-australia/8404340>

¹¹⁵ <http://www.adelaidenow.com.au/news/south-australia/uber-drivers-in-sa-forced-to-work-under-same-rules-for-taxi-drivers-with-new-legislation-in-parliament/news-story/30c4ca7c2c1b1beefef978502bd2d7c1>

Taxi Council South Australia president Jim Triantafyllou welcomed the new rules, which were drawn up with the cooperation of Uber¹¹²:

- All vehicles and drivers must be easily identifiable, especially to the police and Transport Department Inspectors
- Penalties for businesses that operate a passenger transport service without holding appropriate accreditation will also be increased from \$30,000 for each offence to \$35,000 for a first offence and \$50,000 for each subsequent offence

The State Government announced the widespread reforms to the taxi and chauffeur vehicle industry following a comprehensive, independent reviews this year¹¹²

- Unlike fines and expiations which can be paid for by a third party, demerit points will provide a new deterrent which directly affects a person's ability to drive a vehicle, not just for work but at any time," Mr. Mullighan said¹¹².

1.7 TASMANIA

Jurisdiction: State level

April 18th, 2016: Ride-sharing company Uber has raised serious doubts over operations in Tasmania, just weeks after the States Government move to legalise it¹¹⁶. The State government has tabled legislation that would allow services like Uber to operate in Tasmania, and it has cleared the Lower House with tri-partisan support¹¹³. It will impose similar restrictions on ride-sharing that currently exist for hire cars, like medical, police and working with vulnerable people checks for drivers¹¹³.

August 18th, 2016: A new law to allow ride-sharing services such as Uber to operate in Tasmania "strikes the right balance" between existing businesses and new opportunities¹¹⁷. The Taxi and Hire Vehicle Industries Amendment Bill is set to pass through State Parliament¹¹⁴. This legislation strikes the right balance between existing business and new growth opportunities, and allows companies like Uber to enter the Tasmanian market this year under appropriate regulation, as opposed to setting up in Tasmania on their own terms as has occurred elsewhere¹¹⁴.

August 24th, 2016: The Tasmanian government is taking concrete steps to legalize ride sharing in the start after NSW, Western Australia, South Australia, ACT and Victoria¹¹⁸. The Taxi and Hire Vehicle Industries and Amendment Bill 2016 enabling the legal operation of ride-sourcing businesses like Uber in Tasmania, has now successfully passed several reading and committee stages in the TasLegislative Council¹¹⁵. An amendment to increase the time within which the Infrastructure Minister, can restrict the issue of new taxi licenses has been agreed to by the Government¹¹⁵. This legislation strikes a balance between existing business and new growth

¹¹⁶ <http://www.abc.net.au/news/2016-04-19/proposed-uber-regulations-cast-cloud-over-tasmanian-operations/7336408>

¹¹⁷ <https://www.news.com.au/national/tasmania/tasmanias-new-uber-laws-include-appropriate-regulation-says-infrastructure-minister-rene-hidding/news-story/ca24ff78acf7c017e62b6baab9e7dd41>

¹¹⁸ <https://insuranceandrisk.com.au/tasmania-insurers-ready-to-respond-to-legalisation-of-ride-share-services/>

opportunities and allows companies like Uber to enter the Tasmanian market this year under appropriate regulation and the government has stated this is only the first step in a much broader effort to modernize and streamline the regulatory framework for the taxi and hire vehicle industries¹¹⁵. The Tasmanian Government's decision to legalize ride-hailing (also known as ride-booking) services will provide certainty for ride-hail drivers and passengers in that state¹¹⁵. Regulatory clarity will also enable insurers to respond to demand for motor insurance products that provide appropriate protection for these drivers and not-at-fault parties in a motor accident¹¹⁵. Drivers will need to contact their insurer before offering ride-hail services and check if their policy is appropriate¹¹⁵. Personal motor insurance policies may not automatically cover vehicle damage if the policyholder is using their vehicle for a commercial purpose¹¹⁵. The State Government intends to undertake a review of the regulatory framework for the point-to-point transport sector within two years¹¹⁵. The Insurance Council of Australia (ICA) has said it would support moves to even out the regulatory burdens that both traditional transport modes and new-app based services are required to meet¹¹⁵.

November 8th, 2016: Ride-sharing services could be operating in Tasmania by Christmas, with the State Government exempting prospective drivers from needing a special licence to carry paying passengers¹¹⁹. Uber Tasmania welcomed the decision and said it would work closely with the Government so that it could begin operating as soon as possible¹¹⁶. Earlier this year, the company raised doubts about its future in Tasmania, saying the service was not like hire cars and legislation could impose "barriers¹¹⁶." Earlier this month, the head of the Tasmanian Taxi Council, said the arrival of ride-sharing services was inevitable¹¹⁶. He said¹¹⁶:

- We've got two choices really: the likes of Uber can come to Tasmania with some regulation to follow or they can come with no regulation, which is what they've done in the rest of Australia

September 15th, 2017: Uber now operates legally in Tasmania¹²⁰. In November 2016, Transport Minister Rene Hidding issued a statement announcing the legalization of ridesharing¹¹⁷. The Tasmanian transport minister stated that the move to legalize ridesharing was inspired by the Tasmanian Young Liberals¹¹⁷. Roger Burdon – the head of the Tasmanian Taxi Council said the arrival of ride-sharing services was inevitable¹¹⁷. "We've got two choices really: the likes of Uber can come to Tasmania with some regulation to follow or they can come with no regulation, which is what they've done in the rest of Australia," he also said¹¹⁷.

1.8 VICTORIA

Jurisdiction: State level

August 23rd, 2016: Victorians could soon be slugged a \$2 levy on every taxi, Uber or hire cap trip under an industry shake-up that has outraged taxpayer and commuter advocates¹²¹. The

¹¹⁹ <http://www.abc.net.au/news/2016-11-08/ride-sharing-now-legal-in-tasmania-uber-by-christmas/8004928>

¹²⁰ <https://www.uberkit.net/blog/uber-hobart-ridesharing-legal-tasmania/>

¹²¹ <https://www.smh.com.au/business/companies/uber-gets-green-light-to-operate-in-victoria-20160823-gqyw38.html>

levy is part of the state government's plan to legalise ride-sharing services like Uber, while compensating existing taxi drivers and also funding \$378 million buy-back scheme¹²¹¹⁸. The government will buy back a single taxi licence for \$100,000 and pay \$50,000 for the second license of owners, with a so-called "fairness fund" providing \$75 million of immediate hardship support¹²¹¹⁸. Taxi fares will also be deregulated by 2018¹²¹¹⁸. All commercial passenger vehicles will be charged the levy, which the Andrews government expects will raise \$44 million a year and is to run for at least eight years¹²¹¹⁸. The new levy will be introduced from 2018, but individual operators will be able to choose how they pass the levy on to passengers¹²¹¹⁸. The changes are expected to create level playing field for the taxi industry¹²¹¹⁸. There will be more choice and greater value. It is a comprehensive reform, but it is grounded in fairness¹²¹¹⁸. Two pieces of legislation will be introduced to allow the changes to proceed¹²¹¹⁸. The massive shake-up will result in the removal of taxi licensing, which will be replaced with a registration process for all operators¹²¹¹⁸. All drivers, including Uber drivers, will need to be accredited by the Taxi Services Commission¹²¹¹⁸. They will all have to pass police, medical and driving history tests¹²¹¹⁸. The knowledge test that is currently part of the taxi driver registration process will also be scrapped¹²¹¹⁸. However, drivers of wheelchair accessible vehicles will have to compete an assessment¹²¹¹⁸.

June 23rd, 2017: The Victorian Government has reached an agreement with the Greens and the Sex Party on a bill to legalize ride-booking services such as Uber¹²². Taxi and Uber users will only be slugged an extra \$1 per trip after the Andrews Government backed down on its plans to impose a \$2 levy¹¹⁹. The agreement was reached in a rare, marathon sitting of the Upper House on Friday when the Government agreed to make amendments to reduce the levy, put forward by the Sex Party MP Fiona Patten¹¹⁹. The government is abolishing taxi licenses and introducing a single scheme for taxis, hire cars and ride-booking services, in a move that devalues licenses previously worth hundreds of thousands of dollars¹¹⁹. The ride-booking regulations include a \$494 million package to provide compensation and transition funding, for taxi and hire car licence holders¹¹⁹.

- The view of the Andrews Labor Government is that the industry should be supported during this period of change¹²². That is the purpose of the levy¹¹⁹.
- The changes will not be opposed by the Government when the bill goes back to the Lower House¹¹⁹.
- However Parliament will not sit again until August¹¹⁹.

The new bill is much fairer for the pensioners who rely on taxis to get to shops and health care centers¹¹⁹. The government will also consider implementing a different levy in regional areas¹¹⁹.

- "We were really concerned for people in the country having to pay for a levy that essentially was paying out people in the city," Ms. Dunn said¹¹⁹.

Both the taxi industry and Uber have opposed the levy as an unfair impost on consumers, and raised concerns it may be used to generate state revenue rather than pay out compensation¹¹⁹. The legislation allows for the levy to be increased if the Essential Services Commission agrees it is not raising enough money to recoup compensation costs¹¹⁹.

¹²² <http://www.abc.net.au/news/2017-06-24/uber-bill-compromise-reached-with-greens/8642170>

November 20th, 2017: Victorian taxi and hire car drivers have engaged lawyers to investigate the potential for suing the ride-booking giant Uber for compensation, which they say has devastated their livelihoods¹²³.

- “While we don’t complain about that, what we do complain is that if you are going to break the law and you conspire with others to break the law and it causes people financial losses, then you should compensate them¹²⁰.”

February 4th, 2018: A 31-year-old Uber driver has been left badly injured and thousands of dollars out of pocket after he was attacked while picking up a passenger in Melbourne¹²⁴. Two knife-wielding masked attackers pounced on Saeed Shah just minutes after he reached outside a house in Brighton at around 2am on Sunday morning after getting a job¹²¹. The attackers also snatched his phone and allegedly thrashed him for several minutes before finally driving away in his car¹²¹. Mr. Shah was dragged approximately 50 meters as he held on to a door handle of his car¹²¹. He was taken to hospital with serious leg injury¹²¹. With injuries to his back and face, he says he is too scared to return to work¹²¹. Uber has responded to driver’s request for support but refused to help with medical bills or the loss of his car¹²¹.

- “As made in our driver-partner terms of use, we do not take any financial responsibility for loss or damage caused to driver-partners when using the Uber app. As such, this incident remains a matter for the involved parties to resolve directly¹²¹.”

Mr. Shah said the response wasn’t good enough as he expected the company to stand by him when he needed it the most¹²¹.

- Preet Singh who is driving Uber for the last two years shared his disbelief over the incident. “It is terrible out there. It’s a very risky job and we all know it. You can’t expect anything from Uber as it’s very clear from its driver-partner terms of use. In October 2017, I was brutally assaulted by two passengers who were madly drunk. Everything was recorded on the camera but Uber did nothing to support me¹²¹.”

February 16th, 2018: Uber in regional Victoria not taking off as quickly as expected, say taxi firms and customers¹²⁵.

1.9 WESTERN AUSTRALIA

Jurisdiction: State level

December 18th, 2015: Western Australia will join NSW and ACT in legalizing Uber, with the Barnett government announcing it will establish a multimillion-dollar compensation fund for traditional taxi owners¹²⁶. From July next year, Uber drivers in Western Australia will need to be licensed and will have to pay an annual fee¹²⁶²³. Drivers will also need to have police and medical clearances¹²⁶. Under the changes, taxi rank and hail work will only be open to

¹²³ <http://www.abc.net.au/news/2017-11-21/uber-class-action-threat-in-victoria-taxi-hire-car/9174724>

¹²⁴ <https://www.sbs.com.au/yourlanguage/punjabi/en/article/2018/02/01/melbourne-uber-driver-too-scared-return-work>

¹²⁵ <http://www.abc.net.au/news/2018-02-17/why-isnt-uber-taking-off-in-regional-victoria/9457980>

¹²⁶ <https://www.theaustralian.com.au/national-affairs/state-politics/uber-to-be-made-legal-in-western-australia-following-nsw-and-the-act/news-story/f15cce5f6d185c5f7dc891f760ff1047>

traditional taxis¹²⁶²³. The proposed reforms will reduce red tape, address cost disparities and unnecessary operating conditions imposed on current metropolitan government leased taxi plate holders and privately owned taxi plate holders in both metropolitan and regional areas¹²⁶²³. Under these new measures, taxi operators will be freed up to adapt to customer's demand and take on competition¹²⁶²³. The changes reforms will be introduced in two stages, with the interim measures largely achieved through changes to regulations – to be introduced in July¹²⁶²³. The second stage of reform will involve legislation¹²⁶²³.

May 18th, 2016: The Western Australian Government has announced details of the financial assistance for taxi drivers to help them adapt to proposed laws deregulating the industry and legalizing ride-booking services such as Uber¹²⁷. Legislation is set to be introduced to State Parliament as part of the Government's long-awaited reforms to license services like Uber¹²⁴. Transport Minister Dean Nalder said stage one of the changes would create a "new on-demand transport license category" to help reduce the regulatory burden¹²⁴. There will be a \$27.5 million "transition assistance package" to help the taxi industry adapt including \$20,000 compensation payments for conventional taxi plate owners¹²⁴. A further \$1.5 million will be set aside to offer advice and support¹²⁷. Meanwhile a cap on owned taxi plates, currently set at five, will be lifted to "allow the taxi industry to respond to increasing competition¹²⁴." The changes are also set to see an existing minimum \$60 fee for small charter vehicles scrapped¹²⁴. Mr. Nalder said the changes aimed to simplify the industry regulations across the board and "make them consistent across both taxi and on-demand so that they're operating under the same regulatory framework¹²⁴." He said taxis would still be the only service that could operate at taxi ranks and take passengers that hail them¹²⁴.

- Taxi industry remains concerned as the public is going to be worse off because standards will drop¹²⁴.
- Uber said it welcomed the Government's decision to formally recognize the ride-sharing industry as part of the Western Australian point-to-point transport industry, but condemned the license fee¹²⁴.
 - "It is especially hard to understand why the Government would choose to do this when all ride-sharing drivers already hold a safety accreditation that costs \$300 and that covers driving history, criminal background and medical checks¹²⁴. It appears to be a double dip on people who are simply looking to access flexible work," Uber said in a statement¹²⁴.

February 1st, 2017: Uber drivers operating without the correct third party insurance or licence could be financially ruined if their vehicle is in an accident and causes injury, the Department of Transport has warned¹²⁸. Radio 6PR has revealed the ride sharing company has not insisted all its drivers obtain the omnibus license or commercial vehicle third party insurance which the state government introduced as law in July – prompting fears many are driving illegally, without realizing it¹²⁵. The new regulations were designed to legalize ride sharing services and level the

¹²⁷ <http://www.abc.net.au/news/2016-05-18/government-moves-to-scrap-taxi-provisions-legalise-uber/7426910>

¹²⁸ <https://www.watoday.com.au/national/western-australia/significant-number-of-noncompliant-uber-drivers-to-be-fined-20170201-gu30ho.html>

playing field between the struggling Western Australia taxi industry and the increasingly popular Uber service¹²⁵.

- If you are not correctly insured, you risk losing your entire business and any other financial assets that you have because a personal injury claim could be tens of thousands, to hundreds of thousands, to life time care so it's a risk not worth taking¹²⁵.
- The state government in July introduced new laws that require Uber drivers to hold an omnibus license, which costs \$272, and obtain commercial third party vehicle insurance, at an additional cost of around \$110 to \$140 a year on top of private vehicle insurance costs¹²⁵.

September 22nd, 2017: An Uber ban in Western Australia has been ruled out by the State Government, despite news that the company will lose its license to operate in London over concerns for public safety and security¹²⁹. Transport Minister Rita Saffioti said a ban was not under consideration despite the decision made by UK regulator Transport for London to not renew Uber's license when it expires on September 30th¹²⁶. The State Government is due to deliver a proposed industry reform in November, which would compensate taxi license plate holders to help minimize the impact of rideshare company on the taxi industry¹²⁶.

- "The State Government is in the process of developing reforms for the on demand transport and taxi industry with the aim of having a system that provides both competition and protections for drivers and commuters," Ms. Saffioti said¹²⁶.
- The rules are very different for Uber than Western Australia taxi drivers – for instance taxi drivers must have cameras in all taxis and aren't allowed to touch them¹²⁶.
- "We want Uber to continue operating in Australia, but only if it can meet community expectations about safety and fairness, for both drivers and consumers," said Transport Workers Union national secretary Tony Sheldon¹²⁶.

October 28th, 2017: Taxi and Uber fares are set to go up, with passengers to be slugged a flat fee or a percentage surcharge to fund compensation for struggling cabbies¹³⁰. It is understood that the State Government will in coming weeks announce a plan that would see the owners of the 1000 taxi plates in Western Australia compensated between \$100,000 and \$200,000 each¹²⁷. Taxi industry sources said the value of plates had collapsed from more than \$300,000 in 2014, the year Uber launched in Perth, to just \$70,000¹²⁷. It is understood that under the "Uber tax" plan, the Government would offer to voluntarily buy back plates¹²⁷. If every cabbie accepts the offer, it would cost up to \$200 million¹²⁷. Transport Minister Rita Saffioti previously said she would consider a flat \$2 fee per trip paid by passengers using all taxi or ride-share services to fund the compensation¹²⁷. The Government was also investigating a surcharge of about 5 to 10 per cent on fares¹²⁷. It was considered by some that a flat fee on shorter trips would be unfair¹²⁷.

¹²⁹ <https://www.perthnow.com.au/news/wa/uber-ban-not-under-consideration-by-wa-govt-despite-london-revoking-license-ng-9c55e3f34b17b7d0d22217f8dab52d7>

¹³⁰ <https://thewest.com.au/news/transport/uber-tax-wa-government-set-to-introduce-new-ride-share-surcharge-to-help-compensate-struggling-taxis-ng-b88643626z>

February 15th, 2018: A planned 10 per cent levy on taxi and ride-share trips in Western Australia appears all but doomed, with the Liberal Party and key crossbenches vowing to oppose the controversial so-called “Uber tax¹³¹.” Under the Government’s plans, revenue from a 10 per cent levy would be used to fund a buy-back of taxi plates which have plummeted in value since the emergence of Uber and other ride-sharing competitors¹²⁸. Ms. Saffioti said if the levy was blocked, the whole scheme would be dead and taxi plate owners would not get any further compensation¹²⁸. The Government’s plan would see that the 10 per cent levy imposed on operators rather than passengers but Uber and other services have indicated that would be passed on to passengers¹²⁸. The buy-back scheme, if implemented, would guarantee the owner of a conventional metropolitan taxi plate at least \$100,000 in compensation¹²⁸.

April 29th, 2018: Uber is urging the McGowan Government to halve a proposed passenger levy that will be used to fund taxi buybacks, saying the current plan will raise far more than predicted¹³². With the Government set to introduce legislation into Parliament within months for its “on-demand transport” reforms, Uber is leading the charge for a compromise on a proposed \$120 million levy at the center of the shake-up¹²⁹. Under the plans, a four year, 10 per cent tax would be levied on the total fare revenue generated by taxi and ride-sharing companies such as Uber and be used to fund plate buybacks starting at \$100,000¹²⁹. However, Uber says estimates of the revenue to be raised at the 10 per cent rate are based on out-dated and overly conservative data and assumptions and the measure will in fact collect significantly more money than anticipated¹²⁹. The rate proposed by the Government was the highest in Australia, and a 5 per cent levy would generate the funds required for the scheme at less cost to the travelling public and broader industry¹²⁹. Transport Minister Rita Saffioti said the levy would remain at 10 per cent and called on Uber to absorb the costs¹²⁹:

- “Halving the levy would simply double the amount of time that the levy needs to be in place. Once the required revenue is raised, the levy will cease. Ride share operators such as Uber currently take up to 27 per cent commission from drivers. We believe there is some capacity to absorb the temporary levy so it does not fully impact consumers.”

Uber said a 10 per cent surcharge was twice the cost of anywhere else in the country and that more than 50,000 people who regularly use its service could face increases of about \$2 a ride because the costs “cannot be absorbed¹²⁹.”

¹³¹ <http://www.abc.net.au/news/2018-02-15/perth-uber-and-taxi-levy-hits-dead-end-as-liberals-oppose-tax/9451100>

¹³² <https://thewest.com.au/news/transport/uber-urges-mcgowan-govt-to-reduce-proposed-levy-ng-b88820424z>

APPENDIX 4: EUROPE

Note: All summaries are verbatim of the news articles cited.

1.1 DENMARK

Jurisdiction: Country level

November 19th, 2016: Uber has suffered a fresh blow after the Danish high court ruled that it was an illegal taxi service rather than a ridesharing programme¹³³. The judgement is the latest blow for the company which is facing resistance from regulators around the world¹³³³⁰. The ruling by the Danish High Court upheld the conviction of six Uber drivers who were found guilty of violating the country's taxi laws and were fined between 2,000 and 6,000 kroner each¹³³³⁰.

December 3rd, 2016: Uber was involved in contributory infringement of [the] Taxi Act, and faces a fine of up to \$4300 should the court rule against the San Francisco-based transportation giant¹³⁴.

December 13th, 2016: Denmark's new right-wing government will allow Uber to continue operating under new rules in order to encourage more competition among taxis, its transport minister said¹³⁵. Under new proposals put forward by the government on Tuesday, Uber drivers must meet certain criteria, including paying tax and proving they are in good health¹³². At the moment they operate without any rules¹³². The transport minister said he saw no reason why Uber should not compete with established taxi companies, although he wants to implement rules that distinguish between taxis which are ordered via an app and those where customers hail them in the street¹³². But the government, which has only 53 seats of 179 seats in parliament, faces a majority which does not support the plan as well as opposition from the Danish People's Party (DF), which would normally support government proposals¹³².

February 13th, 2017: A new taxi law by the Danish government could end up being the final nail in the coffin for Uber's ambitions in Denmark¹³⁶. Among other changes, the new law stipulates it will become obligatory for taxis to have seat sensors, video surveillance and taxi meters¹³³. The transport minister stated that with this new agreement we'll get a new and better foundation for controlling the tax proceeds of taxi driving¹³³.

March 28th, 2017: Uber says it will pull out of Denmark next month, on April 18, blaming a new taxi law that includes requirements such as mandatory fare meters and seat sensors¹³⁷. While traditional cabs are likely already kitted out with the required tech, Uber's service relies on

¹³³ <https://www.telegraph.co.uk/news/2016/11/19/uber-declared-an-illegal-taxi-service-by-danish-high-court/>

¹³⁴ <https://www.digitaltrends.com/mobile/uber-break-law-denmark/>

¹³⁵ <https://www.reuters.com/article/us-uber-denmark-idUSKBN1421YR>

¹³⁶ <http://nordic.businessinsider.com/new-taxi-law-could-smother-uber-in-denmark-2017-2/>

¹³⁷ <https://techcrunch.com/2017/03/28/uber-to-pull-out-of-denmark-blaming-new-taxi-law/>

drivers using their own vehicles as taxis, and smartphones as meters, so it would be harder for the company to comply¹³⁴.

1.2 EUROPEAN COURT OF JUSTICE

July 4th, 2017: Uber suffered a new setback in Europe when European Union court adviser said France was entitled to charge local managers of the U.S. ride-hailing app firm with running an illegal taxi service¹³⁸. Uber played down the non-binding opinion from an advocate at the Court of Justice of the European Union (ECJ), saying it applied only to a service using unlicensed drivers known as UberPOP, which it had already discontinued in France¹³⁸³⁵. Judges will make a final ruling later this year¹³⁸³⁵. However, they generally follow the advice of their advocates general and the comments come two months after another opinion, which rejected Uber's argument that it was only a digital platform and so subject to less regulation than a transport firm¹³⁸³⁵.

December 20th, 2017: Uber is a transport services company, the European court of justice has ruled, requiring it to accept stricter regulation and licensing within the EU as a taxi operator¹³⁹. The decision in Luxembourg, after a challenge brought by taxi drivers in Barcelona, will apply across the whole of EU, including the UK¹³⁶. It cannot be appealed against¹³⁶. In its ruling, the ECG said an "intermediation service", "the purpose of which is to connect, by means of a smartphone application and for remuneration, non-professional drivers using their own vehicle with persons who wish to make urban journeys, must be regarded as being inherently linked to a transport service and, accordingly must be classified as "a service in the field of transport" within the meaning of EU law¹³⁶."

- It follows that, as EU law currently stands, it is for the member states to regulate the conditions under which such services are to be provided in conformity with the general rules of the treaty on the functioning of the EU¹³⁶.
- The ECJ found Uber's services were more than an intermediation service. It observed that the Uber app was "indispensable for both the drivers and the persons who wish to make an urban journey¹³⁶."
- The court also pointed out that Uber exercised "decisive influence" over the conditions under which drivers provided their services¹³⁶. Such an intermediate service, the ECJ¹³⁹ concluded, must be regarded as forming an integral part of an overall service, the main component of which was transport¹³⁶.

The TUC's general secretary, Frances O'Grady, welcomed the decision¹³⁶. "Uber must get its house in order and play by the same rules as everybody else¹³⁶. Their drivers are not commodities¹³⁶. They deserve at the very least the minimum wage and holiday pay¹³⁶. Advances in technology should be used to make work better, not to return to the type of working practices we thought we'd seen the back of decades ago¹³⁶."

¹³⁸ <https://www.reuters.com/article/us-uber-court-eu-idUSKBN19PORH>

¹³⁹ <https://www.theguardian.com/technology/2017/dec/20/uber-european-court-of-justice-ruling-barcelona-taxi-drivers-ecj-eu>

Steve McNamara, the general secretary of the Licensed Taxi Drivers Association, said: “Uber has been ducking both regulations and its responsibilities to its drivers by claiming to be a technology platform that simply connects drivers and riders¹³⁶. This false classification has allowed Uber to exploit its workers by forcing them to work long hours on low wages, putting passenger and public safety at risk¹³⁶.

April 10th, 2018: The European Court of Justice has ruled against Uber in France in a case that threatens to reduce the regulatory protection digital companies have in the EU¹⁴⁰. Judges at the EU’s highest court said the French government was within its right to pass a 2014 ban law banning some transport services without first notifying the European Commission¹³⁷. Uber had challenged France’s bypassing of the notification system after it was taken to court by a taxi driver in Lille for running its UberPop service that uses unlicensed drivers¹³⁷. But the ECJ said its 28 member state governments were allowed to “prohibit and punish the illegal exercise of a transport activity such as UberPop without having to notify the Commission in advance of the draft legislation laying down criminal penalties for the exercise of such an activity¹³⁷.”

1.3 FINLAND

Jurisdiction: Country level

August 11th, 2015: Police in Helsinki are asking residents to skip the fare and call the cops if they spot an Uber driver within city limits¹⁴¹. Cops sent out a tweet Friday asking people to call emergency services so authorities could have a chat with the enterprising driver¹⁴¹³⁸. It is illegal to operate a cab without a license and police are using citizen reports and even sting operations to crack down on the drivers¹⁴¹³⁸.

August 23rd, 2016: Finnish police are cracking down on Uber drivers caught operating without a taxi driver’s license by issuing fines and confiscating earnings via the courts¹⁴². The government has said it plans to introduce legislation to make the taxi market easier for newer entrants, but the bill is yet to be shaped amid disagreements in the ruling coalition¹³⁹.

July 7th, 2017: Uber has given in to regulatory pressure in Finland, and is suspending its UberPOP until that country implements limited taxi deregulation next year¹⁴³. The company was losing on points in its regulatory battles in the country, with Finnish police investigating whether its operations amount to an illegal taxi services¹⁴⁰. During that investigation, a Helsinki district court ordered the seizure of assets of the ride-share business’s Finnish country manager¹⁴⁰. It is only legal for someone to drive for Uber in Finland if they hold a taxi drivers’ license’ the problem is, rather than go through the lengthily process to get one, drivers are accused of driving illegally¹⁴⁰. Drivers caught operating illegally are hit hard- they forfeited their income to the government¹⁴⁰. Uber has decided to buckle: while its UberBLACK licensed

¹⁴⁰ <https://www.ft.com/content/317b96dc-3c96-11e8-b9f9-de94fa33a81e>

¹⁴¹ <http://www.thetruthaboutcars.com/2015/08/uber-finland-cops-say-hail-no/>

¹⁴² <http://fortune.com/2016/08/23/uber-drivers-fine-finland/>

¹⁴³ https://www.theregister.co.uk/2017/07/07/uberpop_is_finnished_in_helsinki_until_2018/

operators will continue, it's going to shutter its Finnish UberX-equivalent, UberPOP, until Finland introduces new taxi regulation in 2018¹⁴⁰.

- Finland passed deregulatory legislation in April, but it doesn't take effect until July 2018¹⁴⁰.
- Under the new regulations, drivers will still need permits, but the number of permits issued each year will no longer be capped and fare restrictions will be removed¹⁴⁰.

February 1st, 2018: Taxi transportation is deregulation in Finland in July 2018¹⁴⁴. The market moves from a system where the number of taxi licenses was limited to one where there are no arbitrary limits. This opens up the market for new players¹⁴¹.

March 9th, 2018: In an interview with Uber country manager, he confirmed that the company will make its return to the Finnish market as soon as it is possible¹⁴⁵. It is yet to be decided what the returning Uber service will be called in Finland, but it will operate on a similar manner to UberPop, with drivers using their own cars and a smartphone app to get custom orders¹⁴². The exact cities Uber will be available in Finland is not yet known, but likely Uber service will be available in Helsinki, potentially followed up by larger cities such as Joensuu, Jyväskylä, Oulu, Tampere, Turku and Vaasa¹⁴².

1.4 FRANCE

Jurisdiction: Country level

December 12th, 2014: A local judge in Paris decided not to ban the low-cost service, Uber¹⁴⁶. The ruling, which only applies to Paris and relates to the budget UberPop service, said that the company could still operate in the French capital, though it added that Uber may not advertise some of its services to the general public; if it did it would face a \$25,000 daily fine¹⁴⁶⁴³.

December 15th, 2014: The French government announced that the company's lower priced UberPop service would be banned on January 1st¹⁴⁷. The announcement came only days after Uber dodged a potential ban of UberPop in Paris¹⁴⁴. A local judge on Friday decided not to ban UberPop, promoting cabdrivers in the capital to stage a go-slow strike on Monday in protest of the company¹⁴⁴. The French Interior Minister, Pierre-Henry Brandet, said that the new legislation called the Thévenoud Law – which requires all drivers who chauffeur paying passengers to have a license and appropriate insurance- would form the basis of the ban¹⁴⁴. UberPop does not meet the licensing requirement¹⁴⁴.

- "Currently those who use UberPop are not protected in case of an accident, so not only is it illegal to offer the service, but for the consumer, it's a real danger" said Mr. Brandet¹⁴⁴.

¹⁴⁴ <http://metropolitan.fi/entry/taxi-deregulation-brings-cheap-rides-and-innovation-to-finland-in-2018>

¹⁴⁵ <https://metropolitan.fi/entry/uber-returns-to-finland-in-july-2018>

¹⁴⁶ <https://bits.blogs.nytimes.com/2014/12/12/paris-court-gives-uber-a-bit-of-good-news/>

¹⁴⁷ <https://www.nytimes.com/2014/12/16/business/international/france-says-it-will-ban-ubers-low-cost-service-in-new-year.html>

- While a Paris judge ruled last week that UberPop could continue operating, Mr. Brandet, noted that a French criminal court in October had fined the company \$124,000 for deceptive marketing, saying that Uber was operating a taxi service, rather than a ride-sharing program¹⁴⁴. Uber is allowed to continue operating as it appeals that decision¹⁴⁴.
- The October decision “is exactly in line” with the government’s thinking, Mr. Brandet said, which calls for “better regulating the profession to avoid unun¹⁴⁴.” Those who operate such services, he said, could face two years in prison and fines of up to \$370,000¹⁴⁴.
- Thévenoud Law: Requires that all drivers who chauffeur paying passengers have a license and appropriate insurance¹⁴⁴. Drivers for services like UberPop would also have to have 250 hours of professional training, though that is still less than what most taxi drivers, who are considered to be professionals, must have¹⁴⁴.

June 26th, 2015: French taxi drivers were protesting at vehicles operated by drivers working for Uber, which functions like a taxi-hire company, but via smartphones without directly employing its drivers¹⁴⁸. The taxi drivers were protesting at seeing their livelihoods threatened: it costs more than 100,000 euros for a taxi license in Paris¹⁴⁵. Uber drivers, pay nothing using their own cars and just paying a proportion of their takings to the company for the rides they pick up¹⁴⁵. The protests in France, where UberPop has been declared illegal yet still operates, came just a week after California’s Labor Commission decided that Uber drivers there were employees, not contractors – a distinction that could imposed significant costs and responsibilities¹⁴⁵.

September 22nd, 2015: France’s Constitutional Court upheld a national law that banned one of Uber Technologies’ car services that relies on non-professional drivers using their own vehicles, dealing another setback to the company in Europe¹⁴⁹. Uber had challenged the legality of a law passed by the French government last year, which banned its so-called UberPOP service and updated rules on how taxi companies and chauffeured cars could compete¹⁴⁶.

- “The Constitutional Court rejects all the arguments raised by the company and declares the contested parts of the law as conforming with the Constitution,” the court said¹⁴⁶.

February 9th, 2016: Uber is suspending its service in Paris today to support an ongoing driver protest against new regulations aimed at cracking down on ride-hailing apps in France¹⁵⁰. The company’s French employees are joining a demonstration organized by a group of full-time chauffeurs who have been protesting against the government for five days now¹⁴⁷. At issue is a set of new regulations introduced after taxi unions staged a nationwide strike last month, calling for an end to Uber and other non-taxi chauffeur services¹⁴⁷. French Prime Minister Manuel Valls vowed to tighten restrictions on the chauffeur services and ordered Uber and other apps to stop hiring a certain class of salaried drivers that represent about 20 to 30 percent of their workforce¹⁴⁷.

¹⁴⁸ <https://www.theguardian.com/technology/2015/jun/26/uber-backlash-taxi-drivers-protests-paris-global-revolt>

¹⁴⁹ <https://www.reuters.com/article/us-france-uber-tech-idUSKCN0RM26C20150922>

¹⁵⁰ <https://www.theverge.com/2016/2/9/10948616/uber-paris-protest-shut-down-taxi-vtc>

July 6th, 2016: Uber faces fresh regulatory opposition in France, with a challenge to ride-hailing services coming from a parliamentary proposal to block the use of a permit popular among private drivers¹⁵¹. Measures that would give additional protection to traditional taxis were introduced in committee on Tuesday evening¹⁴⁸. They would prevent ride-hailing apps from working with drivers who hold a “collective transport” permit – a license for carrying more than one person, which is easier to obtain than the license meant for chauffeurs¹⁴⁸. Uber and its French competitor, Allocab, both estimate that a third of their drivers in France use the alternative license¹⁴⁸. It has helped the car-booking services expand rapidly in a market long limited by the availability of chauffeur permits, which until recently have been bought and sold for as much as 240,000 euros each¹⁴⁸.

- “They have already made the test for the chauffeur’s license so difficult, with less than 30 per cent passing the test last month. It used to be 80 per cent,” said Allocab’s co-founder and CEO, Yanis Kiansky¹⁴⁸.
- The proposal is part of a broader effort by the state to resolve tensions between ride-hailing apps and the established taxi industry¹⁴⁸.
- In addition to the proposed law on licenses, the government has been working on a plan to compensate drivers for the fact that taxi medallions are now worth less¹⁴⁸.

July 4th, 2017: Uber suffered a new setback in Europe on Tuesday when a European Union court adviser said France was entitled to charge local managers of the U.S ride-hailing app firm with running an illegal taxi service¹⁵². Uber played down the non-binding opinion from an advocate general at the Court of Justice of the European Union (ECJ), saying it applied only to a service using unlicensed drivers known as UberPOP, which it had already discontinued in France¹⁴⁹. Judges will make a final ruling later this year¹⁴⁹. However, they generally follow the advice of their advocates general and the comments come two months after another opinion, which rejected Uber’s argument that it was only a digital platform and so subject to less regulation than a transport firm¹⁴⁹.

February 8th, 2018: Ride-hailing giant Uber has won a case filed by a French driver claiming he should be considered an employee, with judges saying the company is simply an intermediary – a ruling that clashes with a top EU court decision just weeks ago¹⁵³. In a ruling dated January 29th, the court said drivers were free to refuse a trip and not subject to any oversight by Uber in terms of time worked¹⁵⁰. Uber offered “intermediation and not transportation services,” which meant it was linked to drivers only via commercial contracts that could not be considered terms of employment¹⁵⁰.

- The lawyer for the French driver said he was likely to appeal, saying the judges had failed to appreciate “the entire system” that goes with being an Uber driver¹⁵⁴

¹⁵¹ <https://www.ft.com/content/5bb6139a-436f-11e6-9b66-0712b3873ae1>

¹⁵² <https://www.reuters.com/article/us-uber-court-eu-idUSKBN19PORH>

¹⁵³ <https://www.thelocal.fr/20180208/uber-wins-french-case-despite-eu-court-ruling>

¹⁵⁴ <https://phys.org/news/2018-02-uber-french-case-driver-employee.html>

- “To generate sufficient revenues and meet their expenses, given the rates that are imposed, a driver effectively has to be connected to the service quite often,” the lawyer said¹⁵¹.

April 10th, 2018: The European Union’s top court has dealt another blow to Uber after ruling that member states can ban ride-sharing services without having to notify Brussels first¹⁵⁵. The ruling came after France banned the UberPop service, which allowed drivers without a taxi license to pick up passengers¹⁵². French authorities passed the law in 2014, after finding that the service would provide unfair competition to licensed cab drivers¹⁵². A court in Lille later asked the European Court of Justice whether the European Commission should have been notified before the law was passed¹⁵². The court said in a statement on Tuesday that “Member states may prohibit and punish, as a matter of criminal law, the illegal exercise of transport activities in the context of the UberPop service, without notifying the Commission in advance of any laws penalizing such services¹⁵². Uber France is facing legal action in Lille over the UberPop ride-sharing service¹⁵². The company argues that member states like France are required to notify the European Commission about the law under which the case was brought because it concerned an “information society service¹⁵².”

- Tech companies are granted an additional layer of protection from national legislation in the EU with draft laws affecting them needing to be approved by Brussels¹⁵⁶.

1.5 GERMANY

Jurisdiction: Country level

March 18th, 2015: A German court on Wednesday banned Uber from running services using unlicensed cab drivers and set stiff fines for any violations of local transport laws by the pioneering online taxi firm¹⁵⁷. The latest case, brought in the Frankfurt regional court by German taxi operator group Taxi Deutschland against UberPOP, is one of more than a dozen lawsuits filed in countries across Europe in recent months against Uber¹⁵⁷⁵⁴. Each violation of the German court order covering violations of local passenger transport licensing laws by Uber and its UberPOP online service was subject to a 250,000 euro fine, a three-judge panel of the Frankfurt regional court ruled¹⁵⁷⁵⁴. Uber will continue to operate services in Germany using licensed limousine and taxi drivers¹⁵⁷⁵⁴. It is also said it was working on a new service designed to comply with the German court’s interpretations of existing laws¹⁵⁷⁵⁴.

October 30th, 2015: Uber is making a retreat in Germany to the cities of Berlin and Munich as it grapples with a ban from using unlicensed cab drivers¹⁵⁸. Uber will for now suspend services in Hamburg, Frankfurt and Dusseldorf, it said in a statement, citing a difficult regulatory environment¹⁵⁵. A German court in March banned Uber from running services using unlicensed

¹⁵⁵ <https://www.independent.co.uk/news/business/news/uber-france-ban-uberpop-ride-sharing-eu-court-justice-a8298126.html>

¹⁵⁶ <https://www.ft.com/content/2f9c88c8-3c9e-11e8-b9f9-de94fa33a81e>

¹⁵⁷ <https://www.reuters.com/article/us-usa-trump-russia-cohen/u-s-prosecutors-pull-encrypted-messages-from-phones-seized-in-cohen-raids-idUSKBN1JB2V3>

¹⁵⁸ <https://www.reuters.com/article/us-uber-germany-cities-idUSKCN0SO2R620151030>

cab drivers and set stiff fines for any violations of local transport laws by the pioneering online taxi firm¹⁵⁵. The company in Germany has since limited itself to drivers that hold a passenger transport license, among other legal requirements, through its UberX and UberBlack smartphone apps, but it has run into a shortage of suppliers of ride services¹⁵⁵.

- In a statement, Uber said: “For many prospective Uber partners the process of registering an independent rental car enterprise has proved as too costly and time consuming¹⁵⁵.”

November 2nd, 2015: Despite raising a war chest of some \$8 billion, on-demand ride sharing platform Uber is retrenching its operations in Germany – pulling out of three cities (Frankfurt, Hamburg and Düsseldorf), leaving active operations in just Berlin and Munich¹⁵⁹. The move follows a Frankfurt regional court ban on Uber using unlicensed drivers, issued back in March¹⁵⁶. At the time Uber had said it would continue operations in the cities, offering its limousine service and licensed taxi drivers, but has now decided it’s not able to run a reliable service with only those fall-back options because it can’t get enough drivers¹⁵⁶.

- The Taxi Deutschland spokeswoman points out that Uber’s business model in Germany makes it an unattractive option for licensed radio taxi drivers, given Uber takes a 20 percent fee from drivers – vs. the around 5 percent (on average) that radio taxi companies charge licensed drivers¹⁵⁶.
 - “Uber is way more expensive, they’ve got hardly any customers and they only operate with their app¹⁵⁹. And this is why [Uber’s business model] couldn’t work¹⁵⁶. Well-regulated markets with consumer protection are very difficult for Uber to conquer¹⁵⁹. Any society which has consumer protection in place will be an extremely difficult market for Uber¹⁵⁶.”
- Although Uber is continuing to operate in Berlin, the UberPop service has also been banned there – with a Berlin court upholding a ban on the service back in April on passenger safety grounds¹⁵⁶. So in Berlin Uber runs a service that uses regular licensed taxis to fulfill rides hailed via its app¹⁵⁶.
 - Uber stated: “We’ve found the requirements, even for licensed services, to be very complex¹⁵⁶. Uber is increasingly popular in Munich and Berlin so we have decided to focus our efforts there and suspend our operations in Frankfurt, Düsseldorf and Hamburg¹⁵⁶.”

June. 9th, 2016: A regional court in Frankfurt upheld Germany’s ban on UberPOP, its lower cost service, rejecting an appeal by Uber¹⁶⁰. The UberPOP service connects customers, via a smartphone app, with non-professional drivers using their own cars¹⁵⁷. The Frankfurt ruling means Uber can be fined for violation of local transport laws if it uses drivers who are not licensed by the state in order to cut costs¹⁵⁷. The ruling in Frankfurt means Germany will remain on the list of countries to have banned UberPOP¹⁵⁷. Uber did not say whether it intends to dispute the German ruling¹⁵⁷. But it said the verdict would not do much damage to its business in Germany because it already suspended its low-cost service there about a year ago¹⁵⁷. The

¹⁵⁹ <https://techcrunch.com/2015/11/02/uber-retrenches-in-germany/>

¹⁶⁰ <https://www.theguardian.com/technology/2016/jun/09/uber-suffers-legal-setbacks-in-france-and-germany>

firm said it was now concentrating its efforts on its more upmarket sedan services with licensed drivers¹⁵⁷.

May 18th, 2017: Germany's highest court on Thursday ruled that Uber's Black service had violated the country's competition laws, but referred the case to the European Court of Justice to decide whether its view was in line with the broader European Union laws¹⁶¹. It wants clarification from the higher European court before issuing a final ruling¹⁵⁸. The Uber Black service provides professional drivers in luxury sedans¹⁵⁸. The usual Uber service offering standard cars driven by freelance drivers was already suspended in Germany in 2015 after court challenges¹⁵⁸. The Berlin government had already issued an administrative decision against Uber's service staffed by professional drivers in 2014¹⁵⁸. A Berlin taxi firm brought the case at Germany's Federal Court of Justice¹⁵⁸. An Uber spokeswoman said the case would not affect Uber because it had already changed how it operates¹⁵⁸. Uber Black still operates in Munich but is now organized differently¹⁵⁸. On Thursday, the German court ruled that Uber Black had infringed German competition law because it assigned rides to drivers and rental car companies from its European headquarters in Amsterdam¹⁵⁸. Under German law, ride requests have to be made through sedan companies rather than to drivers directly¹⁵⁸. A ruling by the European Court of Justice is expected to take at least a year before the German court takes a final decision¹⁵⁸.

December 4th, 2017: Uber, dubbed the "taxi killer" across Europe, is keen to improve its bad reputation in Germany, and hopefully launch in more than two cities¹⁶². Uber has an international image problem and fixing it in Germany, a country whose citizens values their privacy to such a high degree, might be harder than the company thinks¹⁵⁹. The ride-hailing service app company's data breach in 2016, which led to private data being stolen from 57 million customers worldwide, and their attempted cover up did little to boost their reputation¹⁵⁹. The real problem is two-fold: a shortage of qualified drivers due to the difficulty of obtaining licenses in Germany¹⁵⁹. Although the German government shared plans to create a clearer legal framework for businesses in the sharing economy, no concrete changes have been announced¹⁵⁹. Germany still has laws and regulations that date back to the 1960s. The government needs to take today's "technical conditions" into account¹⁵⁹. And these changes, without a doubt, would be of interest to many mobility service providers trying to break into the German market¹⁵⁹. Overall, Uber's new marketing makeover seems to focus heavily on improving urban mobility¹⁵⁹. Uber also believes Uber Pool, a cheaper car-pooling option offering in London and Paris, could alleviate traffic congestion and provide Germany's public transportation a bit of relief¹⁵⁹.

January 18th, 2017: Lawmakers plan to amend and clarify the rules governing sharing economy businesses such as Airbnb and Uber to remove obstacles to their growth and protect consumers¹⁶³. Germany plans to create a clearer legal framework for sharing economy web

¹⁶¹ <http://fortune.com/2017/05/18/uber-europe-germany/>

¹⁶² <https://global.handelsblatt.com/mobility/ride-hailing-app-uber-reworks-its-image-in-germany-860848>

¹⁶³ <https://global.handelsblatt.com/companies/germany-plans-sharing-economy-reform-684623>

businesses like taxi firm Uber and flat rental site Airbnb, whose growth has been stifled by the country's notorious bureaucracy and regulations¹⁶⁰.

- "There's clearly unequal treatment between the industries. While Uber isn't allowed to do anything, Airbnb for a long time was permitted to do almost everything¹⁶⁰."
- The German taxi lobby took legal action to shut down the UberPOP service shortly after it was launched¹⁶⁰. Since then, private drivers without a passenger transportation licence have not been allowed to drive for Uber¹⁶⁰. Related services UberX and Uber-Black in Munich, which provides luxury sedans or SUVs from registered rental car companies, as well as Uber-Taxi in Berlin, are growing more slowly than predicted¹⁶⁰.
- Uber has pulled out of Hamburg, Frankfurt and Dusseldorf saying government agencies created hurdles¹⁶⁰.
- Germany's ruling parties want concrete new rules on sharing platforms to be introduced before the end of the current parliamentary term in September¹⁶⁰.

January 22nd, 2018: Uber's chief executive said on Monday that he was focused on "responsible growth" as he seeks to put an end to the take-no-prisoners culture he inherited on joining the pioneer of ride-hailing services last year¹⁶⁴. Uber plans to make a fresh start in Germany, where it previously faced legal battles¹⁶¹. The CEO has pledged to make a clean break with practices that resulted in a litany of regulatory problems, driver and consumer scandals, court cases and many accusations of Uber having a toxic work culture¹⁶¹.

January 22nd, 2018: Uber chief executive Dara Khosrowshahi has said the US ride-hailing firm will focus on "responsible growth" in Europe as he seeks to end the "pirate mentality" he inherited from company founder Travis Kalanick¹⁶⁵. He said, "there was a bit of a pirate mentality but pushing boundaries doesn't mean overstepping boundaries¹⁶²." Uber's plans for careful expansion in Europe will include making a fresh start in Germany – a country, which he said was a good example of how Uber's bullying mentality backfired¹⁶². "We stepped into Germany and we behaved in a way that was inappropriate and wrong. Our relationship with Germany is in need of a total reset. And it deserves to be a total reset... we were bullish on the German market, but we want to be patient," he said¹⁶².

March 2nd, 2018: Uber said it has withdrawn an appeal lodged with Germany's high court to have its UberPOP service reinstated as part of a broader strategy to shift to work with drivers licensed to carry paying passengers¹⁶⁶. UberPOP was forced to suspend its service, which relied on non-professional drivers using their own vehicles, in Germany, France, Italy, Spain and Belgium¹⁶².

- An Uber spokeswoman said: "Our approach in Germany has changed a long time ago, which is why we are withdrawing the appeal. Today, we only work with licensed limousine and taxi partners¹⁶²."

¹⁶⁴ <https://www.reuters.com/article/us-tech-germany-uber/uber-ceo-focused-on-responsible-growth-seeks-fresh-start-in-germany-idUSKBN1FB1ZA>

¹⁶⁵ <http://www.dw.com/en/uber-ceo-to-end-pirate-culture-in-push-for-reset-in-germany/a-42264110>

¹⁶⁶ <https://www.reuters.com/article/us-usa-trump-russia-cohen/u-s-prosecutors-pull-encrypted-messages-from-phones-seized-in-cohen-raids-idUSKBN1JB2V3>

- Uber said it continues to invest in Germany, and promised to cooperate with regulators, municipalities, public transport providers and car makers to help tackle issues like congestion and pollution¹⁶³.

June 6th, 2018: Uber has launched an electric bike-sharing service in Germany as part of efforts to repair its relationship with European governments¹⁶⁷. Uber chief executive Dara Khosrowshahi said: “We had a very bad start in Germany. We’re here now in order to try again. I want this to signal a deep commitment to Germany... We want to work with local governments and cities and make our model work¹⁶⁴.” In Germany, Uber is only active in Berlin and Munich¹⁶⁴. Khosrowshahi said he believed Uber could help Germany tackle some of its major transport challenges, including air pollution, congestion and the search for affordable green mobility solutions¹⁶⁴.

1.6 ITALY

Jurisdiction: Country level

May 26th, 2015: A judge in Milan has shut the door on Uber’s ride-sharing business in Italy¹⁶⁸. The ruling states that UberPOP creates “unfair competition” and effectively holds the private company to the same standard as a public taxi service¹⁶⁸⁶⁵. Uber has argued that it is essentially a technology company and differs from a traditional taxi service because it limits its availability to users of its app, and does not pick passengers up off the street¹⁶⁸⁶⁵. UberBLACK, which uses drivers with professional licenses who have been vetted by the company, will continue to be available in Milan and Rome¹⁶⁸⁶⁵.

May 29th, 2015: Since Uber’s landing in Italy, taxi drivers have manifested their opposition to UberPOP, which in their views, enabled private car owners to offer an on demand driving service in breach of applicable taxi regulations, although akin to a taxi service¹⁶⁹. Taxi services in Italy are heavily regulated¹⁶⁶. Amongst others, such a service is by operation of law subject to strict access rules, whereby only those drivers that are licensed by the competent municipality may offer the service¹⁶⁶. Besides access, the regulations fix the applicable tariffs, restrict the geographic area in which taxi services may be offered and the modalities of the service offering¹⁶⁶. The decision delivered on May 25th, by the Tribunal of Milan has granted several Taxi Drivers Associations an interim injunction, restraining Uber from making available the UberPOP application on the Italian market¹⁶⁶. The Tribunal of Milan upheld the unfair competition claim made¹⁶⁶. The court denies that UberPOP is a car sharing, community based service, but is instead a direct competitor of a traditional taxi service, because UberPOP drivers, just like taxi drivers, are contacted via the app by passengers for the latter to be taken to the

¹⁶⁷ <https://www.theguardian.com/technology/2018/jun/06/uber-launches-electric-bike-sharing-service-germany>

¹⁶⁸ <https://www.theguardian.com/technology/2015/may/26/uber-pop-italy-order-discontinue-unfair-competition-taxi>

¹⁶⁹ <http://www.mmlex.it/en/the-uber-saga-italian-taxi-drivers-succeed-in-dealing-a-first-blow-on-unfair-competition-grounds/>

destination of their choice, most often within the city, whereas in the car sharing model, it is the car owner that looks to share for cost saving purposes a city-to-city ride¹⁶⁶.

March 23rd, 2017: Taxi drivers went on strike across Italy over a government proposal to regulate new market players, such as Uber¹⁷⁰. Unions called the strike to protest what they called a “savage liberalization” that would impoverish drivers who play by the rules while legalizing cheaper alternatives to licensed taxis¹⁶⁷. The government proposal would, among other measures, set up a national registry for non-licensed drivers who pick up passengers via an app¹⁶⁷.

- A Turin court turned down an appeal by Uber against a Milan court ruling that blocked the UberPOP app in Italy¹⁶⁷. The 2015 ruling said that Uber drivers were able to charge “significantly lower rates than taxis” thanks in part to the fact that they operate without having to pay for a license or installing a meter¹⁶⁷.
- Currently Italian cities issue a set number of taxi licenses each year, and purchasing an existing license from another driver can reportedly cost just over 215,000 dollars¹⁶⁷. This means taxi drivers must stay on the road for years to work off the price of the license¹⁶⁷.

April 11th, 2017: Uber has been banned in Italy after a Rome court ruled that it represents unfair competition for traditional taxis¹⁷¹. The court said Uber could not use its apps in the country and could not promote or advertise its services, following legal action brought by Italy’s traditional taxi unions¹⁶⁸. Uber has ten days from the date of the court decision on Friday to shut down its services¹⁶⁸. Uber says it plans to appeal the decision¹⁶⁸.

May 26th, 2017: A court in the Italian capital ruled in favor of Uber and against traditional taxi associations, overturning a verdict that could have banned its remaining ride-hailing services in Italy¹⁷². The court in Rome had initially sided in favor of traditional firms¹⁶⁹. On April 7th, it gave Uber 10 days to shut down its services for professional drivers across the country or face a 10,000 euros per day fine¹⁶⁹. However, a week later the court temporarily suspended the ban pending a verdict on appeal¹⁶⁹. The overturned ban targeted only ride-hailing services involving professional drivers: UberBLACK, which books luxury cars, and the related services in Italy UberLUX, UberVAN and UberTOURA172. UberEats – the app for food delivery- remained untouched¹⁶⁹. Uber’s flagship service UberPOP, which connects unlicensed drivers with passengers remains banned in Italy following a court ruling in Milan in 2015¹⁶⁹.

1.7 NORWAY

Jurisdiction: Country level

¹⁷⁰ <https://www.dailysabah.com/business/2017/03/23/italy-taxi-drivers-go-on-strike-to-protest-uber-govt-regulations>

¹⁷¹ <https://www.independent.co.uk/news/business/news/uber-italy-ban-app-taxi-driver-unfair-competition-court-ruling-decision-trade-unions-legal-action-a7677881.html>

¹⁷² <https://www.politico.eu/article/uber-wins-appeal-against-ban-in-italy/>

June 7th, 2017: Uber has now delivered an ultimatum of sorts to the Norwegian government, in order to enable its continued operations in the country¹⁷³. The company's legality in Norway is being disputed not just among competing taxi drivers, but across the public sector¹⁷³⁷⁰. Uber claims its drivers have been harassed by the police, had their vehicles confiscated and also faced pressures from the Norwegian tax authority¹⁷³⁷⁰. As a result, the company now considers leaving Norway altogether¹⁷³⁷⁰. Uber, has submitted a letter to the Norwegian Minister of Transport and Communications proposing four solutions to the current situation¹⁷⁰:

1. An automatic reporting system that connects Uber's drivers with the Norwegian tax authority.
2. Uber could consider to enter an agreement with pensions and insurance players, mimicking a model that is already in use in the U.S. and the U.K.
3. The company wants its drivers to be licensed drivers in Norway.
4. The company says it is currently not interested in establishing itself in the rural areas, where there is less competition.

June 18th, 2017: Norway remains highly contested in the ongoing fight between traditional taxi companies and Uber, which is based on the shared economy model¹⁷⁴. Police have cracked down in recent months on drivers working for UberPOP, the company's most affordable options for riders¹⁷¹. With the pressure from the taxi drivers associations, Uber drivers face fears to lose their license or even their car if they get caught¹⁷¹. Norwegian government will evaluate the system's future until the end of this month¹⁷¹. In this frame, Uber put ads all around the city to mobilize its users for the law change¹⁷¹.

October 9th, 2017: Uber said that it would suspend its unlicensed service UberPOP in Oslo until Norway introduces new rules¹⁷⁵. The move follows a similar one year suspension in Finland in July to allow a new taxi law to come into effect, however there is no set date for when UberPOP will be reintroduced in Norway¹⁷².

- "We've learned the hard way that we must change as a company in order to serve the millions of riders and drivers who rely on us¹⁷². With our new CEO Dara Khosrowshahi on board, it's a new era for Uber," the company said in a statement. "That's why it's now time to pause UberPOP in Norway, in order to relaunch under new regulations¹⁷²."
- UberPOP will be suspended on October 30th, while Uber's licensed services UberBLACK and UberXXL will continue to operate as normal¹⁷².
- The Norwegian transport minister said Uber was being treated as any other market participant would be¹⁷². "All actors offering taxi services must conform to rules and regulations at any time¹⁷²."
- The suspension of UberPOP in Norway comes as the non-EU country must answer by October 27th, a query on its transport regulations by the EFTA Surveillance Authority (ESA), the body that ensures EU regulations are enforced in countries that have access

¹⁷³ <https://nordic.businessinsider.com/uber-is-threatening-to-leave-norway---because-its-facing-too-much-harassment-2017-6>

¹⁷⁴ <https://www.tnp.no/norway/economy/uber-works-hard-legalized-norway>

¹⁷⁵ <https://www.reuters.com/article/us-uber-norway/uber-suspends-unlicensed-service-in-norway-in-change-of-tack-idUSKBN1CE0BO>

to the European common market¹⁷². Uber will suspend UberPOP three days after that deadline¹⁷².

- In February, ESA said Norway was setting “disproportionately high barriers to enter the taxi market” that led to inefficient use of resources and higher prices for consumers¹⁷².

February 17th, 2018: The Ministry of Transport and Communications is working on changes to the regulatory framework for the taxi market¹⁷⁶. This means that Uber can make a comeback in Norway¹⁷³.

- “Uber wishes to be regulated and operate within the Norwegian transport regulations. The new proposed regulation is heading in the right direction,” wrote Uber’s spokesperson, Daniel Byrne¹⁷³.
- At the end of January, they sent a letter to the Ministry of Transport and Communications, where they applied for a new occupational transport permit¹⁷³. They then propose a loan scheme, and recommended that pre-pricing for pre-arranged journeys be required¹⁷³.
- The Ministry of Transport and Communications reported that it is not yet clear what proposals the Ministry will send for consultation¹⁷³. “However, it was decided that a requirement for taxi rates will be continued, but that we will look into the content of the objective demands made to get the truth,” wrote communications advisor¹⁷³.

1.8 SPAIN

Jurisdiction: Country level

July 22nd, 2015: Uber will continue to ferry food around Barcelona but not people, as yet another court case involving the ride-sharing pseudo-taxi service is sent to the European Court of Justice¹⁷⁷. Last year, Spain banned the company following complaints from traditional taxi drivers¹⁷⁷⁷⁴. However, now a Barcelona judge has decided to let Europe’s highest court decide, crucially, whether or not Uber is a tech or transport outfit. Uber’s chief EU lobbyist, Mark MacGann said¹⁷⁴:

- “Uber completely supports regulation, but these rules need to be based on what’s good for consumers and drivers, not what’s in the best interests of established companies. Outdated rules – such as return to garage regulations or minimum price and duration – are being used across the EU to squash competition, which would benefit consumers and help stimulate jobs.”

March 30th, 2016: Uber returned to Madrid after a 15-month hiatus¹⁷⁸. The company had already announced that it would return to Spanish streets in the first quarter of 2016 after a court shut it down in December 2014¹⁷⁵. The new service, called UberX replaces the old UberPop, which triggered mass protests by the taxi sector in Madrid, Barcelona and Valencia¹⁷⁵. Under the new terms, users are put in touch with professional drivers with passenger transport

¹⁷⁶ <http://norwaytoday.info/finance/uber-will-make-comeback-norway/>

¹⁷⁷ https://www.theregister.co.uk/2015/07/22/spanish_judge_sends_uber_case_to_european_court_of_justice/

¹⁷⁸ https://elpais.com/elpais/2016/03/30/inenglish/1459323814_036208.html

vehicle (VTC) licenses – chauffeurs who operate sedans typically used until now by business and government clients – rather than private individuals¹⁷⁵. Because VTCs are legal yet fall under different regulations from the taxi sector, Uber hopes that it will now be able to operate in the industry without any further legal challenges from regular cab drivers¹⁷⁵. There are around 1500 VTC licenses in Madrid, one of every 30 taxi licenses as mandated by law¹⁷⁵. But it is expected that a further 1000 will be issued next year, as the courts are ruling in favor of applicants who had their requests denied¹⁷⁵. The National Markets and Competition Commission (CNMC) has also asked for city ride rules to be liberalized, but taxi drivers oppose the move, saying that it will affect the quality of the service and jeopardize the livelihood of 70,000 people¹⁷⁵. Drivers wishing to work for Uber are asked to produce their VTC licenses, along with proof that they are self-employed workers or owners of a business, have no criminal record and possess up-to-date car insurance¹⁷⁵.

May 30th, 2017: Uber and Cabify are continuing to recruit drivers, using another Spanish start-up, Jobandtalent, to help them do so¹⁷⁹. This is despite the protests by Spanish taxi drivers¹⁷⁶. The two on-demand apps only offer private hire vehicles with professional drivers in the Spanish market¹⁷⁶. City regulators in Spain do cap the number of private driver licenses available – the regulated ratio is supposed to be one private hire vehicle per 30 taxis¹⁷⁶. But the number of licenses available has been increased in recent months¹⁷⁶. This follows moves by the National Markets and Competition Commission to encourage a relaxing of licensing rules – which in turn has triggered protests from the taxi industry over what they perceive as unfair competition and changing regulatory winds¹⁷⁶. Local rules allow for two drivers to be staffed per private driver license on average, while licenses are typically tied to companies rather than individuals – thereby allowing Uber and Cabify to be able to recruit more drivers (via these third party license holders)¹⁷⁶.

December 20th, 2017: The European Court of Justice has ruled that Uber, which describes itself as an information services provider, is a taxi service and should be regulated as one¹⁸⁰. The decision stems from a complaint by Barcelona taxi drivers association, which wanted to prevent Uber from setting up in the Spanish city¹⁷⁷. The taxi drivers said Uber drivers should have authorizations and licenses, and accused the company of engaging in unfair competition¹⁷⁷.

March 13th, 2018: Uber is back in Barcelona with 120 professional drivers after it was forced out three years ago over the suspension of its service that enables unregulated drivers to ferry passengers for money using their own cars¹⁸¹.

May 10th, 2018: Uber is expanding its presence in Spain by launching a licensed service on the country's southern Costa del Sol coastline – ahead of the summer season when the region draws in millions of international tourists.¹⁸² The UberX professional licensed driver service will

¹⁷⁹ <https://techcrunch.com/>

¹⁸⁰ <https://www.csmonitor.com/Business/2017/1220/Uber-to-face-new-regulations-as-top-EU-court-classifies-it-as-taxi-service>

¹⁸¹ <https://phys.org/news/2018-03-uber-barcelona.html>

¹⁸² <https://techcrunch.com/2018/05/10/uber-to-pop-up-a-service-in-spains-costa-del-sol-in-time-for-summer/>

launch in early June, and will cover more than 60km¹⁷⁹. The company also confirmed the service will run year round, though presumably driver numbers are likely to fluctuate to reflect seasonal demand¹⁷⁹.

April 28th, 2016: Case Study – Uber in Spain¹⁸³

- In December 2014, UberPOP was banned in Spain for not using drivers with an official “VTC” license, which are issued in a limited ratio to the number of taxi licenses in Spain.
- Following the ban of UberPOP in Spain, Uber trialled the use of licensed (VTC) drivers through UberEats.
- July 15th – a judge in Barcelona referred Uber’s legal proceedings in Spain to the European Court of Justice, effectively suspending legal proceedings against Uber in Spain.
- March 31st, 2016 – launched UberX in Madrid, utilizing officially licensed drivers.
- The referral of Uber’s legal proceedings in Spain to the European Court of Justice effectively suspended the proceedings in Spain and opened the door to whether, in restricting UberPOP, Spain had acted in contravention to certain European laws
- Uber underestimated the impact of their disruptive model in Spain. With hindsight, Uber considered its approach to Spain to be “too much, too fast”
- Following the ban of UberPOP in Spain, Uber trialled the use of licenced (VTC) drivers through UberEats, and in Apr-16 launched UberX in Madrid
 - UberEats Barcelona (Feb-15 to Nov-15): Following the ban of UberPOP in Spain, Uber launched its food delivery service in Barcelona, only working with “VTC” licenced drivers
 - VTC licences are limited by law and there can only be 1 per 30 traditional taxi licences.
 - In Nov-15, Uber suspended UberEats in Barcelona, citing the need to focus its the passenger offering
 - UberX Madrid (Mar-16 onwards): - Puts users in touch with drivers who hold VTC licences (chauffeurs using private cars), rather than the amateur drivers used by UberPOP.
 - Where is it: UberX was launched in Madrid in April 2016
 - Pricing: undercuts the standard taxi airport fare of €30, charging €20
 - Competition from other new entrants: The new service will rival that of Cabify, which has operated in Spain using drivers with VTC licences

1.9 SWEDEN

Jurisdiction: Country-level

May 11th, 2016: Uber said it would suspend its UberPOP service in two cities in Sweden following court rulings deeming its drivers illegal¹⁸⁴.

¹⁸³<https://static1.squarespace.com/static/5689311f0e4c11c9349ea5f7/t/59fc94d8652dea4f9674728a/1509725401757/Expanding+in+Spain+-+Regulatory+case+studies+-+Uber+in+Spain.pdf>

¹⁸⁴ <http://fortune.com/2016/05/11/uber-suspends-uberpop-sweden/>

- “Our pilot has successfully tested ridesharing in Sweden, however clearer regulation is needed before it can be taken further,” Alok Alstrom, general manager for Uber in Sweden, said in a statement¹⁸⁴⁸¹.
- A March 23rd decision by an appeals court in Stockholm upheld one of several rulings in lower courts that UberPOP drivers were breaking the law by driving without taxi permits¹⁸⁴⁸¹.
- Uber said it hoped it could relaunch the service soon. Its final UberPOP offerings in Stockholm and Gothenburg will run on May 18th¹⁸⁴⁸¹.

December 1st, 2016: Sweden proposed rule changes for its taxis on Wednesday that may help ride-hailing services like Uber in the long term, but also recommended that profit-making ride-sharing should be illegal¹⁸⁵. A government-appointed commission said that Sweden should allow taxis to operate without meters, making it easier for drivers to use their own cars¹⁸². Uber, which has faced setbacks in other parts of Europe, already offers taxi services in Sweden, but has to comply with the same regulations as other market players¹⁸². The Swedish commission’s proposals would only allow use of unmetered cars if they are pre-booked and connected to a booking hub, which needs to collect data and make it available to the tax authorities¹⁸². Sweden, which deregulated its taxi sector almost three decades ago, decided last year to look at how to adapt its taxi and ride-sharing regulations¹⁸².

1.10 UNITED KINGDOM (LONDON)

Jurisdiction: Municipal

June 11, 2014: London-based Hackney carriage (black cab) drivers, members of the Licensed Taxi Drivers Association, disrupted traffic as a protest against Transport for London's refusal to stop Uber's calculation of fares based on distance and time taken, as they claimed it infringes upon their right to be the sole users of taximeters in London¹⁸⁶.

October 16th, 2015: After Transport for London brought a case to the High Court of Justice to determine whether the way Uber's app calculates a fare falls under the definition of a taximeter, it was ruled that the app is legal in London¹⁸⁶⁸³.

July 20th, 2016: Two Uber drivers brought the Aslan v Uber BV case to the employment tribunal with the assistance of the GMB Union¹⁸⁶⁸³.

October 28th, 2016: In the case of Aslam v Uber BV, the Central London Employment Tribunal ruled that Uber drivers are "workers" entitled to the minimum wage, paid holiday, sick leave and other normal worker entitlements, rather than self-employed¹⁸⁶⁸³.

November 10th, 2016: Employment Appeal Tribunal upheld the first tribunal's ruling¹⁸⁶. Uber indicated that it would appeal further¹⁸⁶⁸³.

¹⁸⁵ <https://www.reuters.com/article/us-sweden-taxicommission-idUSKBN13Q3YD>

¹⁸⁶ https://en.wikipedia.org/wiki/Uber_protests_and_legal_actions

September 22nd, 2017: Transport for London announced that it would not be renewing the licence of Uber's local service provider, which was due to expire at the end of that month¹⁸⁶⁸³.

- Quote: "demonstrates a lack of corporate responsibility in relation to number of issues which have potential public safety and security implications¹⁸⁷"

Transport for London declared that Uber London Limited was not "fit and proper" to hold a private hire operator licence. Reasons included¹⁸⁸:

- Its approach to reporting serious criminal offences.
- Its approach to how medical certificates are obtained.
- Its approach to how Enhanced Disclosure and Barring Service (DBS) checks are obtained.
- Its approach to explaining the use of Greyball in London - software that could be used to block regulatory bodies from gaining full access to the app and prevent officials from undertaking regulatory or law enforcement duties.

October 1st, 2017: If Uber fails to renew its license, Uber will be banned in London although it still continues to operate in other cities and regions of the UK¹⁸⁹.

December 11th, 2017: Uber's appeal against its London ban will not be heard until the end of April at the earliest, meaning its cars will remain on the capital's streets for at least several more months¹⁹⁰. The five-day appeal is likely to be held on April 30th, although it could be pushed back until June 25¹⁸⁷.

February 15th, 2018: Uber could be hit with tough new regulations under proposals from Transport for London (TfL) to improve passenger safety among private hire vehicle operators¹⁹¹. The proposal includes options for "women-only" taxi journeys, clearer policies for reporting offences and greater data sharing¹⁸⁸. "The growth of ride-sharing and other advances mean that regulation has to be fit for the next decade and not the last," said Helen Chapman, interim director of licensing at TfL¹⁸⁸. The policy document includes proposals for improving the way customer data is handled and complaints are dealt with¹⁹¹. It also sets out how conditions could be improved for drivers, such as "reasonable working hours including appropriate breaks throughout their shift¹⁸⁸."

- In response to TfL's proposals, an Uber spokesman said: "Over the last few years we've led the way with pioneering technology, such as GPS tracking of every trip, which raises standards and enhances safety¹⁸⁸. We're not building on that with new features, like our driver hours limits, which we hope other operators will also introduce¹⁸⁸."
- The planned rules come after TfL declared Uber was not "fit and proper operator" and stripped it of its operating licence in September last year¹⁸⁸.

¹⁸⁷ <http://www.independent.co.uk/travel/news-and-advice/uber-ban-countries-where-world-taxi-app-europe-taxi-us-states-china-asia-legal-a7707436.html>

¹⁸⁸ <https://9to5mac.com/2017/09/22/uber-banned-from-london/>

¹⁸⁹ <https://qz.com/1084981/map-all-the-places-where-uber-is-partially-or-fully-banned/>

¹⁹⁰ <https://www.telegraph.co.uk/technology/2017/12/11/uber-appeal-against-london-ban-heard-spring/>

¹⁹¹ <https://www.telegraph.co.uk/technology/2018/02/15/uber-faces-fresh-regulations-tfl-ahead-licence-appeal/>

- Uber is currently appealing the ruling, meaning it can continue to operate in the city – the appeal is set to be held in April¹⁸⁸.
- Plans to improve driver conditions follow separate employment tribunals involving drivers from Uber and Addison Lee, who challenged the notion they were self-employed and argued they were entitled to holiday pay and the minimum wage¹⁸⁸.
- Uber recently introduced an hours cap for drivers, set at 10 hours, after which they are locked out of the app¹⁸⁸.

APPENDIX 5: LIST OF SOURCES

Jurisdiction	News Source
Alaska	<ul style="list-style-type: none"> - Ktoo Public Media - Anchorage Daily News
New Hampshire	<ul style="list-style-type: none"> - Welts, White and Fontaine, P.C Attorneys of Law - Boston.com/news - New Hampshire Public Road
Texas (Austin)	<ul style="list-style-type: none"> - Wikipedia - Independent.co.uk - Quartz - The Guardian
Michigan	<ul style="list-style-type: none"> - Nemeth Law Employment Blog - Michigan.gov
New York	<ul style="list-style-type: none"> - WAMC Northeast Public Road - Washington Post - Mashable - Cnet.com - Engadget.com
Minneapolis (Minnesota)	<ul style="list-style-type: none"> - Star Tribune - Aei.org - Minnpost.com - Citypages.com - Kstp.com
Nevada	<ul style="list-style-type: none"> - Lasveggasnow.com - Ksl.com - Las Vegas Review Journal - Ktnv.com - Fox 5 Las Vegas - U.S. News & World Report
Colorado	<ul style="list-style-type: none"> - The Denver Post - Colorado Public Radio - The Verge
California	<ul style="list-style-type: none"> - Star Tribune - Cnet.com - Gizmodo - The Verge - SRN News - New York Times - Los Angeles Times - Patch.com
British Columbia	<ul style="list-style-type: none"> - Eaves.ca - BC CTV News

	<ul style="list-style-type: none"> - The Globe and Mail - Vancouver Sun - Global News
Calgary	<ul style="list-style-type: none"> - CBC - Lowestrates.ca - Global News - Calgary Herald
Edmonton	<ul style="list-style-type: none"> - The Globe and Mail - Edmonton Journal - Edmonton CTV News - CBC - Global News
Winnipeg	<ul style="list-style-type: none"> - CBC - Canadian Centre for Policy Alternatives Manitoba Office - Global News
Quebec	<ul style="list-style-type: none"> - Global News - CBC - Autonews.com - Montreal Gazette - Montreal CTV News
Toronto	<ul style="list-style-type: none"> - The Globe and Mail - Blogto.com - CBC - The Star
Australian Capital Territory	<ul style="list-style-type: none"> - ABC - ACT Government
Northern Territory	<ul style="list-style-type: none"> - ABC - Gizmodo - NT News - Department of Infrastructure, Planning and Logistics (Northern Territory Government) - Canstar.com.au
Western Australia	<ul style="list-style-type: none"> - The Australian - ABC - WAtoday.com - Perth Now Sunday Times - Thewest.com
Victoria	<ul style="list-style-type: none"> - The Sydney Morning Herald - ABC - Sbs.com
Tasmania	<ul style="list-style-type: none"> - ABC - News.com.au

	<ul style="list-style-type: none"> - Insuranceandrisk.com - Uberkit.net
South Australia	<ul style="list-style-type: none"> - Business Insider - ABC - Adelaide Now
Queensland	<ul style="list-style-type: none"> - ABC - The Sydney Morning Herald
New South Wales	<ul style="list-style-type: none"> - Reuters - Gizmodo - Legal Vision - News.com.au
New Zealand	<ul style="list-style-type: none"> - The Wireless - New Zealand Herald - Radio New Zealand - Stuff
Denmark	<ul style="list-style-type: none"> - Telegraph - Digital Trends - Reuters - Business Insider Nordic - Tech Crunch
England	<ul style="list-style-type: none"> - Wikipedia - Independent - 9to5mac.com - Quartz - Telegraph
European Court of Justice	<ul style="list-style-type: none"> - Reuters - The Guardian - Financial Times
Finland	<ul style="list-style-type: none"> - The Truth About Cars - Fortune - The Register - Metropolitan Finland
France	<ul style="list-style-type: none"> - The New York Times - The Guardian - Reuters - The Verge - Financial Times - The Local - Phys.org - Independent
Germany	<ul style="list-style-type: none"> - Reuters - Tech Crunch - The Guardian

	<ul style="list-style-type: none"> - Fortune - Handelsblatt Global - DW
Italy	<ul style="list-style-type: none"> - The Guardian - Maschietto Maggiore Besseghini - Daily Sabah - Independent - Politico
Norway	<ul style="list-style-type: none"> - Business Insider Nordic - The Nordic Page - Reuters - Norway Today
Spain	<ul style="list-style-type: none"> - The Register - El Pais - Tech Crunch - The Christian Science Monitor - Phys.org - Static1.squarespace.com
Sweden	<ul style="list-style-type: none"> - Fortune - Reuters