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MEMORANDUM

To: House Committee on Transportation
From: Office of Revisor of Statutes
Date: January 26, 2023
Subject: Bill Brief – HB 2019

HB 2019 establishes conditions for when a transportation network company (TNC) driver is an independent contractor for a TNC.

K.S.A. 8-2701 through 2721 contains the Kansas Transportation Network Company Services Act. This act establishes requirements for TNCs to operate in Kansas including requirements related to insurance, how rides are arranged on the TNC's app or network, how ride payments are processed and certain driver requirements and checks.

HB 2019 would add a new section to the Kansas TNC Services Act. This new section would establish conditions for when a driver on a TNC's network is an independent contractor and not an employee. These conditions include:

- 1) The TNC does not have specific hours when the driver must work;
- 2) The TNC does not limit the person from driving on other TNC networks;
- 3) The TNC does not limit the person from working other jobs; and
- 4) The TNC and the driver have agreed in writing that the driver is an independent contractor for the TNC.