



FOR-HIRE PASSENGER CARRIERS _____(JANUARY 2023)

The DPUC's Motor Carriers Section regulates all services that transport passengers for-hire from one point in Rhode Island to another in Rhode Island (intrastate). Those carrier types are: **Jitneys** (Title 39, Chapter 13), **Taxicabs** (Title 39, Chapter 14), **Public Motor Vehicles** [PMVs] (Title 39, Chapter 14.1) and **Transportation Network Companies** [TNCs] (Title 39, Chapter 14.2).

JITNEYS operate over a regular route and regular schedule. Often their services are provided in vans, buses or trolleys, but some jitneys operate scenic tours in Newport in classic, antique cars. All licensed jitneys carry JITNEY license plates issued by the DMV. Applicants for jitney authority must specify the proposed route and must establish that there is a "need" for its proposed service before its "license" (called a Certificate of Public Convenience and Necessity [CPCN]) is issued. *Note: Although it operates regularly scheduled passenger service on regular routes in buses bearing JITNEY plates, the Rhode Island Public Transit Authority (RIPTA) is statutorily exempted from DPUC regulation.*

TAXICABS are exactly what one would expect – sedans and minivans that respond to immediate requests for service to transport a passenger from the taxicab's authorized pick-up territory to another point in Rhode Island. The vehicles bear clear markings, including a TAXI roof light atop the vehicle, approved rates on the rear quarter-panel of the vehicle, and a TAXI license plate issued by the DMV. Taxicab companies are also required to carry liability and property damage insurance; the minimum levels are prescribed by statute.

Like jitneys, taxi licenses are called CPCNs and are issued only upon a finding by the Division that there is a "need" (hence the term Necessity) for its issuance. The CPCN spells out how many vehicles may be operated under the certificate and spells out the municipalities (singular or plural) in which they may originate fares (pick up passengers).

Taxicabs are more stringently regulated than other licensed passenger carriers, relative to territory restrictions, driver log requirements, insurance requirements, vehicle age/mileage inspections, and the mandate that fares be calculated only by a tested and sealed taximeter in accordance with a rate structure approved by the Division. Such a level of regulatory oversight – while absolutely warranted – creates significant hurdles when compared to other more lightly-regulated services like PMVs and TNCs.

Taxicab drivers must be certified by the Division before they are permitted to transport passengers. The certification process includes a driving record and criminal background check.

PUBLIC MOTOR VEHICLES (PMV) provide pre-arranged passenger services; they cannot respond to immediate requests for service that would make them indistinguishable from taxicabs. Originally envisioned as a "higher-end" sedan service or limousine service, many licensed PMV companies obtain operating authority primarily to provide Non-Emergency Medical Transportation (NEMT) for brokers coordinating transportation services in concert with state agencies. When not providing such state-sponsored NEMT services, PMVs must charge no less than \$40 per trip (R.I.G.L. 39-14.1-6) to maintain an adequate distinction from taxicab call-and-demand service.

Like taxicab drivers, PMV drivers must also be certified by the Division. PMVs must also carry prescribed minimum levels of liability and property damage insurance.

TRANSPORTATION NETWORK COMPANIES (TNC) are defined in R.I.G.L. 39-14.2-1 as entities licensed by the Division that use a digital network to connect potential riders to drivers who use personal vehicles to provide prearranged rides. Currently, only two (2) entities hold TNC Permits issued by the Division: Uber and Lyft. The passage of Title 39, Chapter 14.2 established a statutory distinction for a fairly new service type that is very much akin to taxicab service, in that it provides for an immediate response for transportation requests in exchange for a fare calculated based on length of trip and time elapsed (as with a taximeter). The vehicles used to provide the service are not owned by the licensed TNC; rather, the vehicles are privately-owned and are held out for hire by the owner (or someone authorized by the owner) to service trip requests obtained through an internet application platform.

TNC companies are also required to carry minimum levels of liability and property damage insurance. However, unlike with taxicab and PMV drivers, TNC drivers are not certified by the Division. Instead, TNC companies are required to conduct background checks on the drivers in accordance with prescribed statutory standards.