

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2464

By: Hill

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6 AS INTRODUCED

7 An Act relating to motor vehicles; creating the
8 Independent Driver Classification Act; amending 47
9 O.S. 2021, Section 1030, which relates to exclusive
10 jurisdiction of the Corporation Commission; requiring
11 Transportation Network Company drivers be independent
12 contractors if certain conditions are met; detailing
13 certain conditions; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 This act shall be known and may be cited as the "Independent
18 Driver Classification Act".

19 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1030, is
20 amended to read as follows:

21 Section 1030. Exclusive jurisdiction of the Oklahoma
22 Corporation Commission.

23 A. Notwithstanding any other provision of law, the regulation,
24 licensing or permitting of transportation network companies for the
provisions of prearranged rides is within the exclusive jurisdiction

1 of the Oklahoma Corporation Commission as set forth in the Oklahoma
2 Transportation Network Company Services Act and any rules
3 promulgated by the Commission consistent with the act. No political
4 subdivision of the state may impose a tax on, or require a license
5 for, a ~~TNC~~ Transportation Network Company (TNC) or a TNC driver for
6 the provision of prearranged rides or subject a TNC to the political
7 subdivision's rate requirement, entry requirement, operational
8 requirement or other requirements.

9 B. All TNC drivers shall be independent contractors and not
10 employees of the TNC if all of the following conditions are met:

11 1. The TNC does not prescribe specific hours during which a TNC
12 driver must be logged into the TNC's digital network;

13 2. The TNC imposes no restrictions on the TNC driver's ability
14 to utilize digital networks from other TNCs;

15 3. The TNC does not restrict a TNC driver from engaging in any
16 other occupation or business; and

17 4. The TNC and TNC driver agree in writing that the driver is
18 an independent contractor with respect to the TNC.

19 SECTION 3. This act shall become effective November 1, 2023.

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