November 1st, 2019

Dear Chairman DeFazio and Chairwoman Norton,

In less than a decade, Uber has become a powerful platform that connects millions of people around the world and creates meaningful mobility and earnings opportunities. Our mission is centered upon movement, ranging from people being able to use their personal vehicles to earn money when they want to partnering with public transit to explore new ways of increasing access and mobility.

Across our platform, safety is built into the Uber experience and we are constantly leveraging technology and feedback in ways that can help make travel safer than ever before. In many cases, we were the first in our industry to introduce such safety features. We want every experience on our platform to feel safe, respectful, and positive.

Collectively, our leadership believes Uber has a responsibility to help keep people safe, and recognizes that we must all constantly work to improve safety. Technology can make travel safer than ever before and our team of safety engineers has developed innovative new features to provide riders and drivers peace of mind when it comes to safety.

Uber looks forward to working with you and your respective staff as we continue to develop new and innovative ways to keep riders and drivers safe. Thank you for your recent inquiries into the ways we operate our business and general industry practices; attached you will find our responses to each of the listed questions. We plan to continue to work with the committee and its staff so they have the information they need.

Sincerely,

Dara Khosrowshahi
Chief Executive Officer
Uber Technologies, Inc.

November 1st, 2019

Uber

The Honorable Peter DeFazio
Chairman
U.S. House Committee on Transportation & Infrastructure
2167 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Eleanor Holmes Norton
Chairwoman
U.S. House Subcommittee on Highways & Transit
2167 Rayburn House Office Building
Washington, D.C. 20515

RE: Questions for the Record - Hearing on "Examining the Future of Transportation Network Companies: Challenges and Opportunities"

Dear Chairman DeFazio and Chairwoman Norton,

Thank you for the opportunity to follow up with responses to your questions. The issues you have raised are incredibly important, and Uber is constantly thinking through ways we can improve the Uber experience for riders, drivers, and cities.

We hope our answers below satisfy the committee's interest in our business and industry. If the committee has further questions, please know that we look forward to engaging in a meaningful way.

Respectfully Submitted,

Justin Kintz
Vice President, Global Public Policy
Uber Technologies, Inc.

####

Government Regulation: Your company has been cited as supporting preemption of local TNC regulations. At the hearing, Mayor Freeman-Wilson, President of the National League of Cities, provided the opposite view, arguing for more flexibility for cities.

Question #1) Do you oppose TNC regulation at the local level, and if so, why? Please provide specific examples of the types of local regulations Uber opposes.

Uber supports regulation — whether at the local or state level — that is in the best interests of TNC riders, drivers, and the broader community. We do not oppose all regulation at the local level. For example, Uber has been working directly with local and regional regulators and transit authorities on our electric JUMP Bike and Scooter products, and with our products designed to encourage riders to take existing public transit. Instead, we evaluate all proposed laws that would affect the TNC industry on their merits. Uber undertakes a case-by-case evaluation of all proposed legislation, and cannot categorically list the types of regulations we oppose. However, there are instances where Uber has opposed local regulations that, in our view, do not serve the best interests of TNC riders, drivers, and the broader community. For example, Uber recently announced its opposition to a proposed measure in the City of Chicago that would impose a $3.00 fee on TNC rides within certain parts of the City without equitably applying those fees or fully considering the impact on communities with already limited access to transportation options. In addition, Uber opposed regulations in New York City that cap the number of for-hire vehicles that may operate in New York City, which we believe will ultimately hurt transportation access in the outer boroughs while failing to meaningfully address congestion in Manhattan.

Question #2) Do you support State level regulation, and if so, why?

Generally speaking, TNCs such as Uber are regulated at the state level, and Uber has supported state-level regulation. Regulation helps to protect consumers, empower drivers, and unlock opportunities for the wider industry. Because the rules governing transportation services in most states were put in place prior to the emergence of ridesharing technology, Uber has argued that new laws and regulations are necessary to support new technology and new models.

Statewide regulatory frameworks can be a better conceptual fit for TNC drivers than municipal or county-level regulatory frameworks. This is because TNC drivers frequently take trips that cross city or county lines. It can be extremely complicated for drivers to comply with a patchwork of regulations that often emerge when cities and counties adopt their own regulatory frameworks. For example, prior to the enactment of a statewide framework in the State of Florida in 2017, drivers who operated in South Florida had to comply with three distinct regulatory frameworks in Miami-Dade County, Broward County, and Palm Beach County, each with dozens of different requirements, even though the work they provided and local considerations were nearly identical. Another reason states seemed to quickly claim oversight of our industry was because auto insurance is typically regulated at state levels, and many state legislators chose

to make policy on our nascent industry to ensure drivers and riders would be protected with standards around liability coverage, among other consumer protections.

Statewide regulatory regimes can also be a better conceptual fit for TNC riders. Without a statewide regime, it may be infeasible for TNCs to offer technology in more rural and remote parts of states. This is because the costs of compliance with dozens of municipal regulatory regimes can outweigh the benefits of extending technological reach to areas where there are few riders and drivers. The adoption of statewide regulatory regimes therefore enables TNCs to expand the reach of its technology to more rural and remote areas, which have historically had little to no access to for-hire transportation or other transit options. For these and other reasons, 46 states and the District of Columbia have enacted statewide regulatory regimes for TNCs.

While we believe that statewide regulatory regimes are generally preferable, Uber has worked collaboratively with cities on TNC regulations. Uber has supported regulations that protect riders by enabling access to safe, reliable and affordable transportation at the touch of a button — regulation that empowers drivers by providing flexible economic opportunities built on existing skills, and regulation that improves cities by authorizing ridesharing services, which requires fewer, fuller, and more efficient vehicles than existed prior to ridesharing. In addition, these regulations have led to increased transportation access to historically underserved areas by providing a platform that aims to lower barriers and remove obstacles. We at Uber aspire to democratize mobility and work.

Specifically, Uber has supported regulations that:

- Require TNC drivers to undergo a robust background check process with defined standards set out in law;
- Ensure that key safety information is communicated to a rider via the app before a trip occurs, including the license plate number and photo of the driver;
- Provide pricing transparency to riders by requiring TNCs to either show riders an upfront price or explain its fare methodology before a trip occurs;
- Require insurance coverage that far exceeds the requirements for the taxi industry in most US jurisdictions; and
- Prohibit TNC drivers from engaging in any type of discrimination.

Question #3) How much money has Uber expended to date, in total, opposing regulation of your company at the local, State, and Federal level?

While Uber reports its lobbying expenditures in many jurisdictions throughout the country, it is not required to delineate as part of a lobbying activity report whether it has expended money "supporting" or "opposing" a particular proposal. Frequently it is the case that Uber supports some aspects of a proposed bill and opposes other aspects of it, thus making such a calculation impossible. It is also often the case that Uber may support a proposal at one time and then oppose the proposal after it is amended during the legislative process.

Public Safety: The hearing highlighted the growing number of news reports of alleged assaults on passengers who utilize TNCs. At the hearing, Paul Miller, Legislative Counsel with the Transportation Alliance, noted that when a taxi driver is involved in an accident or alleged assault against a passenger, not only are local police on-site but the taxi commission conducts oversight as well. For TNCs, alleged assaults or crimes are not documented as TNC-related, even if reported to local authorities. The only comprehensive data source of passenger-reported assaults and other incidents against Uber drivers resides with your company.

Question #4) Do you support making the number of reported crimes perpetrated by drivers against passengers you have received publicly available?

Uber has independently committed to publishing a safety report this year that will include data on reported incidents of sexual assaults and other serious safety incidents that occur in connection to the Uber platform[1]. It is worth noting that both riders and drivers may be reported as the perpetrators of such safety incidents in connection with the Uber platform.

As part of that process, we've worked with the National Sexual Violence Resource Center and the Urban Institute to develop and implement an open-source Sexual Misconduct and Violence Taxonomy globally and have been working with other companies to encourage shared adoption. The taxonomy provides a way to classify incidents reported to us with greater precision and consistency. Prior to this, no uniform industry standard for classifying reports of sexual assault and misconduct existed.

Uber believes that if we confront the issue of sexual violence and count it consistently, we can make more progress to end it. We hope this report can help other companies deliver best practices beyond to prevent sexual violence.

Question #5) Do you support local authorities tracking incidents that occur on hailed rides in order to provide law enforcement with better data to inform their public safety strategies?

We are committed to supporting safety in our communities and we are always looking to partner with local authorities and law enforcement to help improve public safety. In some jurisdictions, we are required to report certain incidents to local regulators. We evaluate each proposal to determine whether it is tailored to meet the policy purpose and protect individual privacy interests.

In addition, we have implemented robust processes to assist law enforcement during investigations. We have a team of former law enforcement professionals (e.g., former police officers, FBI, Secret Service, and other trained security professionals) who are on call to work with police 24/7 to respond to urgent needs and walk them through how we can assist in an investigation. This team also works to proactively

---

[1] Tony West, *Turning the lights on*, Uber Newsroom (May 15, 2018),
https://www.uber.com/newsroom/turning-the-lights-on/

educate law enforcement about how to reach us and get the information they need through valid legal processes, and engages them regularly. The team also receives and manages these requests.

In March 2017, Uber launched a law enforcement web portal to make the process of obtaining information in guidance with the law easier, faster and more secure for our partners in law enforcement.[2] This portal enables police to gather critical information securely and quickly when and where they need it most. The portal enables requests to be initiated either from a desktop in an office or on a mobile device in the field.

We've also published Guidelines to make clear how we work with law enforcement.[3] For example, Uber ensures that any disclosure of information is consistent with our internal policies and applicable law. Uber also works to provide information as soon as possible (i.e., within an hour) for emergency and exigent requests, and, for a standard request, we aim to provide information in 14 days or less.

Question #6) Do you track the type and frequency of passenger-reported crimes perpetrated by drivers you receive? If not, please explain why.

We believe transparency fosters accountability. However the decision to publish a safety report was a challenge, in part because data on safety and sexual assaults across society generally is sparse and inconsistent. In fact, as the first company to voluntarily report on this information, there is no data to reliably or accurately compare reports against ridesharing drivers versus taxi drivers or limo drivers, or Uber versus buses, subways, airplanes or trains. And when it comes to categorizing this data for public release, no uniform industry standard for reporting has existed.[4]

But we decided we can't let all of that hold us back. So we worked with experts in the field to develop a taxonomy to categorize the incidents that are reported to us, whether reported by a rider or a driver. We've open-sourced this methodology and made it available to all in order to encourage others in the ridesharing, transportation and travel industries, both private and public, to join us in taking this step. For example, TripAdvisor is using the taxonomy to help guide a study of safety-related incidents reported in reviews left by travelers using their platform.[5] By providing a roadmap, we feel that we can help bring more accountability and therefore improve safety for travelers overall.

---

[2] Mike Sullivan, *Uber Shows How Tech Can Play an Ethical Role in Both Privacy and Public Safety*, Uber Newsroom (Oct. 11, 2017), https://www.uber.com/newsroom/safety-and-security/
[3] Uber Technologies, *Uber Guidelines for Law Enforcement Authorities - United States, WWW.UBER.COM,* https://www.uber.com/legal/data-requests/guidelines-for-law-enforcement-united-states/en-US/.
[4] https://www.gao.gov/assets/680/678510.pdf
[5] https://www.nsvrc.org/blogs/tripadvisor-and-business-case-better-safety-information

Question #7) Please provide data on the total number of incidents involving alleged crimes against riders by drivers you have received, to date, broken down by type.

We have committed to publishing a safety report that will include data on reports of sexual assaults and other critical safety incidents in connection to the Uber platform. We've committed to releasing this report by the end of the year.

This has been an intensive and complex effort given that no uniform industry standard for categorizing and reporting this data previously existed. So we had to create one. Again, turning to experts, we worked with the National Sexual Violence Resource Center and the Urban Institute to develop a system to categorize the incidents that are reported to us. We've made this methodology available to all.

Question #8) What is your specific process for reviewing alleged incidents of violence, assault, or harassment reported by Uber passengers? What is your specific process for reviewing complaints and alleged incidents by Uber drivers? What is your specific protocol for when and how to refer incidents to law enforcement?

As ridesharing options like Uber have grown quickly over the past several years and people are using them more regularly in their daily lives, we know that we have a responsibility to cooperate with law enforcement investigations, while also protecting the privacy of our users.

The types of incidents our team handles encompass a wide spectrum, and therefore there is no "one size fits all" approach to dealing with them. We review each case individually based on the information available to us.

We have a dedicated team — which was formed in July 2017 — to address any urgent issues. We created this specialized team to handle more serious safety reports in an effort to implement targeted training and improve how we support riders and drivers in these difficult situations. We've elevated our training and designed a program centered on victims so we can approach these situations with even greater care.

We also have a global law enforcement team made up of former law enforcement professionals who have the expertise to handle requests from public safety officials during active investigations.[6] They are on call to interact with law enforcement and share information quickly when time is critical.

If we believe an individual is a danger to themselves or others, we will take appropriate action that may include deactivation and helping to facilitate reporting to law enforcement. In the case of a sexual assault for example, we instruct agents to provide survivors with contact information that will allow them to reach law enforcement, as well as connect with crisis support services.

---

[6] Mike Sullivan, *Uber Shows How Tech Can Play an Ethical Role in Both Privacy and Public Safety*, Uber Newsroom (Oct. 11, 2017), https://www.uber.com/newsroom/safety-and-security/

Not all survivors of sexual assault want to report to law enforcement or contact a crisis center. Both survivors and sexual assault advocacy experts have told us repeatedly that preserving survivors' choice is critically important; it should be up to survivors whether to share their stories, and that includes whether to report an incident to law enforcement.[7] We do our best to respect a survivor's right to control with whom they disclose information. Several months ago, we started looking into the process of implementing a customer support protocol where we would advise that what is being reported may be a crime to give people the option to allow us to contact law enforcement on their behalf.

Over the last two years, we've enhanced our investigative responsive processes and Community Guidelines.[8] Serious incidents such as sexual assault are reviewed by our specialized team with an eye towards a survivor-centric response, and our responses are developed with guidance from advocates in this space. We give significant weight to the statement given by a reporting party, as well as relevant facts that our investigation may reveal, and take action in accordance with the survivor's report and additional information we can collect through this careful review process.

In addition, in partnership with RAINN, we created educational videos that we send to riders and drivers if they are reported for issues such as inappropriate comments or flirting.[9]

Question #9) What is your specific protocol to follow up with drivers who have been accused of harassment, assault, or violence? What is your specific protocol to deactivate a driver?

As mentioned above, with any serious report of serious sexual misconduct, we immediately remove the person in question's access to the Uber app (i.e., rider or driver) while we review the matter, which includes speaking with both the rider and driver involved. We also work with police to support their investigation through the appropriate process.

As mentioned above, we created a specialized team in 2017 to handle more serious safety reports in an effort to implement targeted training and improve how we support riders and drivers in these difficult situations. We've elevated our training, designed a program centered on victims so we can approach these situations with even greater care. The types of incidents our team handles encompass a wide spectrum, and therefore there is no "one size fits all" approach to dealing with them.

We review each case individually based on the information available to us. We give significant weight to the statement given by a reporting party, as well as relevant facts that our investigation may reveal, and take action in accordance with the survivor's report and additional information we can collect. In serious cases, like reports of sexual assault, Uber will permanently ban the account (driver or rider) based on a single report whenever it's determined that the circumstances warrant such action.

---

[7] @RALIANCEOrg, TWITTER (Sept. 25, 2019, 6:18 PM), https://twitter.com/RALIANCEOrg/status/1177029586854588416
[8] Uber Technologies, *Uber Community Guidelines*, WWW.UBER.COM, https://www.uber.com/legal/community-guidelines/us-can-en/.
[9] Rape, Abuse & Incest National Network, *RAINN | Uber,* https://www.rainn.org/uber.

In addition, in partnership with RAINN, we created educational videos that we send to riders and drivers if they are reported for issues such as inappropriate comments or flirting.[10]

Driver and Passenger Verification: During his testimony, Congressman Smith informed the Subcommittee that anyone can go online and purchase Uber signage to place in their cars in order to appear as drivers. A quick search on Amazon revealed several options of Uber signage and lighting for under $10.

Question #10) Does your company trademark the Uber signage and lighting features drivers use in their cars when working?

Yes, Uber has filed for trademark protection for signage and lighting features that Uber makes available to drivers for use in their cars.

Question #11) If so, have you sought to enforce your trademark to control who can sell or use these signs? If not trademarked, please explain why.

Yes, Uber has enforced its trademark rights against those who sell counterfeit signs and lights bearing Uber's trademark. Uber has engaged the services of a vendor who seeks out such products being sold on e-commerce platforms and submits requests to the platform provider to remove the infringing products. This has resulted in the removal of thousands of counterfeit products from the online marketplace. Uber also reached out to the e-commerce platforms individually to request that they provide assistance to affirmatively block such product listings from going live in the first place.

Question #12) Do you require drivers to display signage in their vehicles when providing rides? If so, what are the exact requirements, where do drivers procure the signage from, and what oversight do you conduct to ensure drivers are displaying the required signage correctly?

Uber provides trade dress decals to drivers in all markets where required by applicable law or regulation. All rideshare drivers are required to comply with the regulations of the jurisdiction in which they operate. In jurisdictions with trade dress requirements, drivers may be subject to fines and other penalties for failure to display trade dress.

Trade dress decals are only sent to drivers who have successfully signed up with Uber after completing a background check, and shown that they meet all applicable internal and regulatory requirements to drive with Uber. Uber sends trade dress decals via direct mail to drivers' home addresses, along with an informational bifold explaining how to affix the trade dress decal in a compliant manner. In addition, Uber provides drivers with information about the regulatory requirements of each jurisdiction in which drivers operate, including any applicable trade dress requirements.

---

[10] *Id.*

Uber does not sell its trade dress decals or Uber beacon to anyone on any platform and Uber's Terms of Service prohibit drivers from selling trade dress. Further, every driver who signs up with Uber agrees to comply with Uber's Community Guidelines, which state, in part:[11]

> *Never harm the business or brand by doing things like using Uber's trademark or intellectual property without permission. Drivers should only use Uber trade dress that is distributed by Uber. The use of unauthorized or third-party items—such as lights, placards, signs or similar items bearing Uber's name or trademark—may confuse riders who are trying to find their ride.*

Question #13) Additionally, do you require drivers to verify that the correct passenger has entered the car? If so, what is the process required? If not, please explain why.

Uber has introduced new features to help improve and raise the bar on safety for riders and drivers. For us, it starts with the basics: getting in the right car. Matching riders to the correct ride is essential to the core Uber service. Without a correct pairing, riders would not reach their end destination, drivers could not earn money through the Uber app, and Uber could not successfully connect the 16 million trips powered by our platform every day.

Uber encourages both drivers and riders to utilize the information provided by the Uber app to ensure they are getting into the right vehicle and picking up a confirmed passenger.[12]

As a rider, when an individual requests a trip through Uber, they always get these key details that uniquely identify their ride: the make and model of the car, the driver's photo, and the license plate. If their driver arrives and does not match the information provided, riders are asked to not get into the car and to notify Uber about the issue. We can disable the driver's account immediately until the issue is appropriately resolved.

Behind the steering wheel, Uber's real-time ID check feature periodically asks the driver to take a selfie before being able to log in to give rides.[13] That selfie will be matched with the driver photo on file. If the photos do not match, the person will not be allowed access to the platform. Technologies like this can help ensure that the driver using the app matches the account we have on file.

Moving forward, Uber has developed new technologies that will continue to expand on these safety features, and set the standard for the ridesharing industry:[14]

---

[11] https://www.uber.com/legal/community-guidelines/us-can-en/
[12] Wade Stormer, *Check Your Ride. Every Time. Everywhere.*, Uber Newsroom (July 23, 2019), https://www.uber.com/newsroom/check-your-ride/
[13] https://www.theverge.com/2016/9/23/13030682/uber-driver-selfie-facial-scan-fraud-security
[14] Dara Khosrowshahi, *An Operating System for Everyday Life,* Uber Newsroom (Sept. 27, 2019), https://www.uber.com/newsroom/everyday-life-os/

- **RideCheck:** In September 2019, Uber rolled out RideCheck which is a technology that can detect a potential crash or an unexpected long stop and then sends a proactive check-in to both the rider and driver to offer assistance. Options are surfaced in the app that provide quick access to key safety tools so riders and drivers can take action and get the help that they may need.

- **Verify Your Ride**: To make sure riders get in the right car, they will soon be able to choose to receive a unique four-digit PIN to verbally provide to their driver. The driver will only be able to start the trip in the app once the correct PIN has been entered. Moving forward, Uber is also developing new technology that uses ultrasound waves to automatically verify the correct rider is in the right car, with no PIN needed.

- **Improved Real-Time ID Check:** In 2016, Uber announced Real-Time ID Check, which helps ensure that the driver behind the wheel matches the account in our system. We started with basic selfies, and our most recent enhancement prompts a driver to perform a random series of basic movements in real-time—blinking, smiling and/or turning their head—to add another layer of security.

- **On-Trip Reporting:** Riders no longer have to wait until after they get out of the car to report a problem to Uber. Soon, riders will see a "Report Safety Incident" option in their safety toolkit (the blue shield icon) that will let them report a safety issue during their trip. Uber's safety team will follow up after the trip. This is part of our efforts to encourage reporting by multiple, convenient channels for people to surface issues directly to Uber.

These new features build on the safety benefits that were already part of our platform, including:

- **Designated Driver:** Riders can push a button for a ride and avoid drunk driving.[15]

- **Driver/Car Information:** Riders are given the driver's name, photo, make and model of the car and license plate number when they request a trip.

- **GPS Tracking:** Each trip is GPS tracked so there is a record of the trip and pertinent information is included on the receipt and trip history. We are also able to share this information directly with law enforcement to aid investigations where appropriate.

- **Share Trip Feature:** Riders and drivers can share their trip so friends and family are able to follow them on a map in real-time, and know when they've arrived. Riders can also pre-program contacts who they will be regularly prompted to share their trip with.

- **Cross-Street Feature:** Riders can use cross-streets as pick-up and drop-off locations for an added layer of privacy.

---

[15] Uber Technologies, *Impaired Driving | Community*, WWW.UBER.COM, https://www.uber.com/us/en/community/safety/drunk-driving-prevention/

- **Two-Way Feedback:** We have a two-way feedback system where riders and drivers can rate each other and provide comments. Serious issues that are reported are reviewed by our 24-7 support team.

- **Driver Hour Limits/Speed Alerts**: We limit the number of hours a driver can take trips on the app without going offline, and drivers can set up in-app alerts if they are speeding.

- **Safety Toolkit:** In May 2018, we centralized all key safety information and features for riders and drivers into one place in the Uber app. Riders can find safety tips and learn about driver screenings, insurance and our Community Guidelines.

Question #14) How will you verify passengers when your vehicles are autonomous and there is no driver? Is the proposed solution when you utilize autonomous vehicles applicable to today's vehicles?

Our self-driving vehicles are still under development and, where they are being tested on our test tracks and public roads, they are being operated with trained safety drivers. We are not, at present, offering rides to members of the public. When we offer rides to members of the public, we anticipate relying on some of the same approaches we use today, including providing the rider with the vehicle's license plate number, make, model, and any other visible identifiers. Currently, we are undertaking research on approaches to passenger identify verification for our self-driving vehicles, including PIN codes and in-cabin camera data.

<u>**Background Checks:**</u> During his testimony, Mr. Miller urged Congress to require industry standardized fingerprint-based background checks as part of any Federal contract awarded to TNCs. Uber has actively opposed the use of fingerprint-based vetting.

Uber conducts millions of rigorous criminal and driving record screenings. While no background check is perfect, our process is thorough, fair and relevant to the work in question. We are always continuing to build and strengthen our screening process with the guidance of our Safety Advisory Board, and by introducing additional measures to improve safety.

Before a person is able to drive with Uber in the United States,[16] we complete a screening process that requires an individual's full name, date of birth, social security number, driver's license number, a copy of his or her driver's license, vehicle registration, and vehicle insurance.

We work with Checkr, a third party background check provider accredited by the Professional Background Screening Association. Checkr runs a Social Security trace and checks the potential driver's driving and criminal history in a series of national, state, and local databases and court record repositories.

---

[16] In New York City, all drivers undergo the criminal portion of Uber's background check process, as described in this response. Drivers in New York City are licensed by the Taxi and Limousine Commission, which also runs its own driving record and criminal history checks on drivers.

These include the U.S. Department of Justice National Sex Offender Public Website, the federal PACER database, and several databases used to flag suspected terrorists.

Upon identifying a potential criminal record, Checkr sends an individual to review the record in-person at the relevant courthouse or, if possible, pulls the record electronically. These screenings use information that is maintained by national, state, and county level authorities, whose processes may vary by jurisdiction. By verifying potential criminal records at the source — the courthouse records — we can help ensure that we are checking the most up-to-date records available.

Beyond the initial screening, Uber proactively reruns criminal and motor vehicle checks each year, regardless of whether there is a legal obligation to do so. By conducting annual reruns everywhere in the U.S., and expanding beyond jurisdictions where we are legally required, we are committed to ensuring our screening standards are applied consistently and continuously across the country.

Moreover, since July 2018, Uber has been among the first to invest in screening technology that rapidly monitors and identifies new criminal offenses through a number of data sources.[17] As an extension of Uber's screening process, this technology helps ensure there is continuous reporting of new reviewable events that occur between scheduled reruns. Consistent with our current criteria, if we are notified of a new disqualifying criminal charge or conviction and the driver no longer meets our standards or local requirements, the partner will be blocked from the app. For disqualifying pending charges, the driver will remain blocked from the app unless the charge is resolved.

Question #15) Why do you oppose fingerprint-based background checks for Uber drivers?

Fingerprint-based background checks should not be required for a number of reasons. First, the FBI and state databases that are utilized for fingerprint-based background checks have significant gaps that reduce their efficacy and can lead to discriminatory outcomes for communities of color. Second, as explained above, the process that Uber currently uses is thorough, fair, and relevant to the work in question.

The FBI maintains a centralized repository—the Interstate Identification Index ("III")—to facilitate the sharing of criminal history among states. The III houses federal criminal history information as well as state criminal history information that the individual states voluntarily report to the FBI. The III and similar state-level repositories generate "rap sheets," which are meant to summarize an individual's criminal history. There are several structural flaws with the III and state repositories that make them incomplete and inaccurate sources. First, the repositories are often missing final disposition information (i.e., whether an arrest resulted in a conviction, acquittal, or something else). The federal repository is missing disposition data for about 50% of its arrest records.[18] And state repositories do not fare much

---

[17] Dara Khosrowshahi, *Getting serious about safety,* Uber Newsroom (Apr. 12, 2018),
https://www.uber.com/newsroom/getting-serious-safety/
[18] *See* Ellen Nakashima, *FBI wants to exempt its huge fingerprint and photo database from privacy protections*,
Wash. Post, June 1, 2016,
https://www.washingtonpost.com/world/national-security/fbi-wants-to-exempt-its-huge-fingerprint-and-photo-datab

better. In fact, a 2016 Survey compiled by SEARCH—the national consortium for justice information and statistics—shows that 30 states self-reported that less than 80% of arrests in their state repositories have final dispositions and 17 states had less than 60%. Some states register well below 50%, including Mississippi (14%), Louisiana (20%), and Colorado (21%).[19]

Because of this gap, the entities that use fingerprint-based background checks to evaluate for-hire drivers often rely on rap sheets that show an arrest event without corresponding disposition information on whether the individual was ultimately convicted or acquitted. As the FBI stated in a 2016 report, "gaps in disposition reporting...negatively impact the quality of information shared for employment and licensing adjudications."[20] While licensing agencies have different processes for evaluating applicants with an incomplete criminal history report, we are aware of at least some for-hire driver licensure bodies that put the onus on the applicant with an incomplete rap sheet to obtain a certified court record or other evidence showing they were not convicted.

Obtaining a record to show that an arrest did not lead to a conviction—in other words, to prove their innocence—often requires traveling to a courthouse or arresting agency in another county or state.[21] And if an arrest did not result in charges, there is likely no court record available; in that instance, the individual must seek the record from a prosecutor's office or police department or file a motion to expunge the entry on their rap sheet.[22] These additional barriers are problematic for anyone. However, they are particularly problematic for minority communities—especially the African-American community—whose members are arrested at rates far greater than their representation in the general population.[23] As former Attorney General Eric Holder stated in a 2016 letter to Chicago officials considering a fingerprint background check proposal for TNC drivers:

---

ase-from-privacy-protections/2016/05/31/6c1cda04-244b-11e6-8690-f14ca9de2972_story.html (reporting that the FBI's figures show that 51 percent of all arrests in FBI repository lack final disposition data).

[19] U.S. Dep't of Justice, Bureau of Justice Statistics, *Survey of State Criminal History Information Systems, 2016*, Table 1, https://www.ncjrs.gov/pdffiles1/bjs/grants/251516.pdf; California State Auditor, *California Department of Social Services: Its Caregiver Background Check Bureau Lacks Criminal History Information It Needs to Protect Vulnerable Populations in Licensed Care Facilities, Report 2016-126*, March 2017, at 43, https://www.auditor.ca.gov/pdfs/reports/2016-126.pdf (finding that California Department of Justice is missing disposition reports for up to 40% of arrest records).

[20] FBI, Disposition Task Force Best Practices Guide, Preliminary Findings, April 2016, https://www.fbi.gov/file-repository/disporev04082016tagged.pdf/view, at 1.

[21] Madeline Neighly & Maurice Emsell, National Employment Law Record, *Wanted: Accurate FBI Background Checks for Employment*, July 2013, *https://s27147.pcdn.co/wp-content/uploads/2015/02/Report-Wanted-Accurate-FBI-Background-Checks-Employment-1.pdf* at 18.

[22] U.S. Dept. of Justice, Bureau of Justice Statistics, *Improving Access to and Integrity of Criminal History Records* (July 2005), at 15, https://www.bjs.gov/content/pub/pdf/iaichr.pdf.

[23] Brad Heath, *Racial Gap in U.S. Arrest Rates: 'Staggering Disparity'*, USA Today (Nov. 19, 2014), https://www.usatoday.com/story/news/nation/2014/11/18/ferguson-black-arrest-rates/19043207/ (reporting on 2014 study on 70 police departments across the United States that found that African-Americans are arrested at a rate ten times higher than those who are not African-American).

Requiring fingerprint-based background checks for non-law enforcement purposes can have a discriminatory impact on communities of color. With nearly 50% of African-American men and 44% of Latino men arrested by age 23 nationwide, the practice of denying work based on law enforcement records with incomplete and inaccurate information disproportionately disadvantages people who have been arrested.[24]

Congressional leaders have also raised concerns about using information from the FBI III for employment and licensing decisions. Specifically, in June 2015, Senators Leahy and Grassley wrote FBI leadership expressing their concern that employment and licensing decisions were based on a criminal history repository that was missing disposition information for 50% of arrest records, stating that it "unfairly penalize[s] current or prospective workers."[25]

A second structural flaw with the repositories used for fingerprint-based background checks is that they are missing some criminal events altogether. One reason is that these repositories typically only capture custodial arrest events, which are initiated with a booking and fingerprinting. Non-custodial arrests (i.e., arrests initiated through citations, summons, warrants, and indictments) often do not make it into the repositories or, if they do, not until years later. This issue has very significant practical consequences. For example, as of late 2018, the Commonwealth of Virginia's state repository was missing more than 750,000 records, including more than 300 murder convictions, 1,300 rape convictions, and 4,600 felony assault convictions.[26] These issues are not unique to Virginia; they are prevalent in other state repositories.[27] And since the FBI III repository is based, in part, on state repository data, this issue also infects the III.

Over the past five years, over 100 cities, counties, and states have enacted laws governing TNC service. Many of these jurisdictions evaluated whether they should require TNC drivers to undergo

---

[24] Letter from Eric Holder to Alderman Anthony Beale, (June 2, 2016), https://suntimesmedia.files.wordpress.com/2016/06/letter-to-alderman-beale-june-2-2016.pdf.

[25] Letter from Sens. Patrick Leahy & Charles E. Grassley to Hon. James B. Comey, FBI Director (June 26, 2015), https://www.judiciary.senate.gov/imo/media/doc/2015-06-26%20CEG,%20Leahy%20to%20FBI%20(Criminal%20History%20Record%20Information).pdf.

[26] Tom Jackman, *Va. Criminal database missing 750,000 cases used for gun and background checks, crime scene investigations*, Wash. Post (Oct. 28, 2018), *https://www.washingtonpost.com/crime-law/2018/10/28/va-criminal-database-missing-cases-used-gun-background-checks-crime-scene-investigations/*.

[27] U.S. Gov't Accountability Office, *Criminal History Records: Additional Actions Could Enhance the Completeness of Records Used for Employment-Related Background Checks*, GAO-15-162, https://www.gao.gov/assets/670/668505.pdf at 21 (finding that 1.6 million dispositions in one audited state could not be linked to an arrest because fingerprints were not captured); Jeffrey Benzing, *Pennsylvania Police Fail to Fingerprint Thousands of Suspect Criminals*, Public Source (June 29, 2014), https://www.publicsource.org/pennsylvania-police-fail-to-fingerprint-thousands-of-suspected-criminals/ (reporting that more than a dozen Pennsylvania counties were missing fingerprints in at least 20% of cases); Jennifer Sullivan, *State Database Missing Some Criminal Information Used in Background Checks*, Seattle Times (June 15, 2015), https://www.seattletimes.com/seattle-news/crime/state-database-missing-some-criminal-information-used-in-background-checks/ (30% of records missing in Washington repository due to missing fingerprints, including DUIs, homicides, and rapes); U.S. Department of Justice, Bureau of Justice Statistics, *supra n. 19* at 20 (noting that "[t]hirteen states cite and release individuals without fingerprinting for all criminal offenses, including felonies").

fingerprint-based background checks and concluded that they should not. In particular, we call your attention to the proceedings conducted by the Maryland Public Service Commission in 2016 and the California Public Utilities Commission in 2017. The Maryland PSC conducted a three-month proceeding, with a multi-day hearing in which it heard from law enforcement, academic, industry, and background check experts. At the end of the proceeding, the PSC declined to impose a fingerprint background check requirement on TNC drivers, finding that Uber's process (as stipulated in the PSC's Order) was as "comprehensive and accurate" as the fingerprint background check process.[28] The California PUC similarly declined to require TNC drivers to undergo fingerprint-based background checks after finding that fingerprint checks would not add a "demonstratively greater level of safety."[29]

Finally, we wish to respond to one point that Paul Miller of Transportation Alliance made at the October 16th hearing. According to Mr. Miller, "name-based background checks are 43 times more likely to have errors than fingerprint-based checks." Mr. Miller bases this statement on a report prepared by taxi industry-affiliated advocates titled "One Standard For All," which in turn cites congressional testimony about a 2007 audit finding that the TSA's Terrorist Watchlist database had a 43% false positive rate. But the congressional testimony cited by the taxi industry advocates made clear that the high error rate was caused by data errors and other issues *unique to the watch list database*.[30] This testimony does not in any way support a sweeping claim that name-based background checks are 43 times more error prone.

Question #16) How much has your company spent on lobbying activities to oppose local initiatives to require fingerprint-based background checks by police, such as in Austin, TX?

Uber contributed approximately $7.5 million to Ridesharing Works for Austin in 2016. Ridesharing Works for Austin was a political committee that supported a ballot measure opposing an Austin ordinance that required TNC drivers to undergo a fingerprint-based background check on top of other onerous regulations. That ballot measure failed.

Uber is not able to compile a figure for its political-related spending on efforts to oppose fingerprint-based background checks throughout the U.S. Under local and state lobbying reporting regimes, Uber is not typically required to itemize the amount it spends lobbying on legislative or regulatory proposals for fingerprint-based background checks. To the extent Uber is required to itemize the legislation or regulation it lobbies for or against, fingerprint-based background checks have often been part of broader legislative or regulatory packages, which means Uber has generally not specifically itemized lobbying activity related to fingerprint-based background checks as part of its lobbying disclosure reports.

---

[28] *In the Matter of Rasier, LLC and Lyft, Inc.*, Case No. 9425, Order No. 87957 (Md. PSC 2016) (case docket available at https://www.psc.state.md.us/).
[29] *Decision on Phase III.B. Issue: Criminal Background Checks For Transportation Network Company Drivers*, Rulemaking 12-12-011, Decision 17-11-010 (Cal. PUC Nov. 13, 2017), http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M199/K073/199073743.pdf, at 23.
[30] *The Progress and Pitfalls of the Terrorist Watch List*, Field Hearing before the H. Comm. on Homeland Sec., 110th Cong., 110-84 (2007) (Stmt. of Glenn Fine), https://www.govinfo.gov/content/pkg/CHRG-110hhrg48979/html/CHRG-110hhrg48979.htm.

Question #17) How much do the third-party background checks you currently utilize cost?

This information is proprietary and commercially sensitive information. We would be happy to work with the Committee to provide this information in a format that ensure it remains confidential. Uber's opposition to fingerprint-based background checks is not based on the cost of those checks.

Question #18) How much does a comprehensive fingerprint-based background check cost?

The cost of collecting and processing fingerprints can vary as processing often includes a state fee and a federal fee.

Question #19) Would the cost of fingerprint-based background checks for every Uber driver currently operating in Austin be greater or less than the amount you paid for lobbying activities in Austin to oppose the regulation?

It appears that the cost to procure a fingerprint-based background check in Austin, Texas is $25.[31] The cost for all drivers in Austin to receive a fingerprint-based background check would be less than the amount Uber paid for lobbying activities to oppose the regulation. Uber's opposition to fingerprint-based background checks, however, is not based on the cost of those checks.

Question #20) What specifically do the third-party background checks you utilize cover, and what specifically is not included that is covered in a fingerprint- based check?

Please see above for an explanation of our background check process. The third-party background check that Uber utilizes does not include a fingerprint component. In addition, neither Uber nor its background check vendor are authorized to access the FBI's arrest-based repository, which is described in Answer 15 above.

Driver Wages: Several Members raised the issue of employee classification and driver wages at the hearing. In his testimony, AFL-CIO Transportation Trades Department President Larry Willis stated that many drivers who work for ride hailing companies make less than the minimum wage of the city they are operating in. Your company's own estimates claim that Uber drivers make an average of closer to $20 per hour.

---

[31] Texas Dep't of Pub. Safety Crime Records Serv., Access & Dissemination Bureau, *Procedure for Review of Personal Criminal History Record Information, WWW.DPS.TEXAS.GOV,* https://www.dps.texas.gov/internetforms/forms/cr-63.pdf.

Question #21) Are your average reported wages of nearly $20 per hour net of any expenses a driver is responsible for under your business model? Please provide a list to the Committee of all expenses, such as vehicle maintenance and fuel, for which Uber drivers are responsible, as well as an itemized list of fees your company collects from driver fares.

Uber wants to help drivers make informed choices, which is why we provide information to drivers about when and where are the busiest times and places to drive—with the goal of helping drivers maximize the amount of time they have a paying rider. For example, the app shows a Demand Heatmap of busy areas; however, drivers are under no obligation to act on this information.

Drivers who earn money by using Uber platform are responsible for the costs of operating their ridesharing business. These will vary by driver, and how they choose to use Uber (including whether to use a vehicle they already own, whether to buy, rent or lease a vehicle, etc). Someone driving a hybrid vehicle will likely incur lower fuel costs than someone with an SUV. Drivers may also incur additional costs in the course of running their business (e.g., parking tickets, cell phone expenses, optional 'rideshare insurance') but it's worth noting that Uber does not have visibility into these expenses. In some cities or states, there may also be additional regulatory expenses, such as licensing fees.

While it's true that these costs are borne by drivers, many of the costs are tax deductible. Uber provides information to drivers about their tax options and provides a tax summary that includes how many miles they have driven while online with Uber.[32]

Uber also seeks to help drivers minimize their costs by partnering with third parties that provide discounts to drivers. For example, drivers can receive up to 6.5% cash back on gas purchases at Exxon and Mobil stations, and 25% off car maintenance with Car Advise.[33] And Uber has partnered with TurboTax to offer drivers free filing and discounts on other services.[34]

There are third-party estimates of the costs of driving. For example, prominent ridesharing blogger The Rideshare Guy calculates the cost **per mile of driving at $0.195** for someone who owns a Toyota Prius driving in San Diego, comprising per mile expenses of:[35]

- Depreciation = $0.061
- AAA maintenance estimate = $0.06

[32] Uber Technologies, *Tax Documents for Driver-Partners,* WWW.UBER.COM, https://www.uber.com/us/en/drive/tax-information/tax-documents/.

[33] Uber Technologies, *Uber Pro Beta Terms and Conditions* (August 1, 2019), https://www.uber.com/legal/rewards-program/uberpro/us-en/

[34] Uber Technologies, *Free and easy filing with Turbo Tax,* WWW.UBER.COM, https://www.uber.com/us/en/drive/tax-information/turbotax-partnership/.

[35] Harry Campbell, *How to Calculate Per Mile Earnings Instead of Per Hour* (Feb. 20, 2017), https://therideshareguy.com/how-to-calculate-per-mile-earnings-instead-of-per-hour/

- AAA tire estimate = $0.01
- Gas = $0.064

Drivers pay Uber a service fee, which varies from trip to trip. It's the difference between what a rider pays and what a driver earns on a trip, excluding tips, tolls, fees (including the booking fee), driver promotions, taxes, and surcharges. Uber's service fee varies in order to make upfront pricing work. Upfront pricing for riders is based in part on the estimated time and distance of the trip, but drivers earn based on actual time and distance. The service fee is lower if the trip takes longer than predicted. The same is true for Uber Pool if fewer riders than expected share the trip. Drivers still earn for the actual time and distance they drive, regardless of the rider price. To keep these commitments to riders and drivers, the Uber service fee varies from trip to trip.[36]

Drivers earn a fare from riders for every trip they complete. Fares are based on preset rates for time and distance. These fares vary by city and product (e.g., UberX, Uber Black) and are visible to drivers at partners.uber.com. Drivers may also receive from riders: tips, reimbursements for tolls, and additional fees for long wait times or long pickups. Additionally, drivers may earn extra through promotions like Quest (e.g., Complete 20 trips a week, earn an extra $50), as well as surge pricing, which is dictated by marketplace activity and consequently occurs in times and locations where demand is higher. Drivers can see their earnings for each trip,[37] as well as daily and weekly summaries both in the app and online.[38]

A 2019 study by economists at Stanford University, using internal Uber data from January 2015 to March 2017, found that the median active driver on Uber received gross earnings of $21 per hour spent on the Uber app.[39] This is the amount earned before subtracting the service fee that drivers pay to Uber, as well as any expenses drivers incur, such as fuel and vehicle maintenance as discussed in more detail below.

A 2018 survey of 1200 ridesharing drivers by the Rideshare Guy, a prominent TNC blogger, found average hourly earnings after Uber's service fee, but before other costs, of $16.90 per hour.[40]

Earnings vary significantly by region and are generally correlated with driver's business choices, local wages, and the cost of living. When comparing ridesharing earnings to alternative work options or minimum wages, it is more appropriate to look at average hourly earnings in a specific city, as a study conducted by Princeton Professor Alan Krueger does.[41]

---

[36] Uber also notes that it collects several additional fees from drivers, which are paid 100% from riders and therefore do not affect driver earnings. For example, riders pay a booking fee, which Uber retains.

[37] Uber Technologies, *How much can drivers make with Uber*, https://www.uber.com/us/en/drive/how-much-drivers-make/.

[38] *Id.*

[39] Cody Cook et al., *The Gender Earnings Gap in the Gig Economy: Evidence from over a Million Rideshare Drivers* (2018), https://web.stanford.edu/~diamondr/UberPayGap.pdf.

[40] Harry Campbell, *2018 Uber and Lyft Driver Survey Results - The Rideshare Guy* (Feb. 26, 2018), https://therideshareguy.com/2018-uber-and-lyft-driver-survey-results-the-rideshare-guy/

[41] Cook, *supra n. 39*.

It is also important to note that using *all time online* when calculating hourly earnings may underestimate earnings by overstating what is counted as 'working time'. There are three components to time online with Uber: time logged into the app before a trip request has been sent or accepted ('period 1'), time having accepted a trip request and while en route to pick up a rider ('period 2'), and time with a rider on trip ('period 3'). It is important to consider that, typically, period 3 is the only time in which a driver is earning. When online (i.e., in period 1), drivers have no obligation to take a trip and may never even receive a trip request if there are no riders looking for rides in their area; they can also unilaterally choose to ignore or reject trips offered to them. They may be at home, doing other work, logged into or taking a trip through another app, or on a personal trip across town while driving with the Uber app on. Similarly, as a traditional worker may commute to their job, and is not compensated for doing so, an independent driver on Uber may leave the app on while 'commuting' to where they want to drive.

Classification: In the lawsuit Jessica Harris v Uber, your defense argued that Uber is not a transportation company, but rather a technology company with independent contractors.

Question #22) If every driver on your platform quit tomorrow, how would you continue to provide service for your customers?

Uber Technologies, Inc. is a technology company that creates technology-based marketplaces connecting marketplace actors in a variety of sectors. The Uber Eats technology connects restaurants with independent couriers able to deliver food to eaters. Uber Freight technology connects companies with freight shipments to independent truck drivers. Uber Elevate is developing innovative aviation technologies to facilitate the aerial delivery of goods and people in urban environments. Uber's Advanced Technologies Group is developing self-driving vehicle technology and software. JUMP technology connects people to electric bike and scooter rentals in cities around the globe. In all of these businesses, Uber is developing innovative technology to help facilitate the movement of people and goods.

Uber's ridesharing software creates a marketplace that is relied upon by two distinct groups. If every driver stopped using the Uber ridesharing platform tomorrow, riders would not be able to connect with drivers through the Uber app. Similarly, if all riders stopped using the Uber platform tomorrow, drivers would no longer be able to provide their ride services to any riders through the Uber app. This is the bilateral nature of all marketplaces, including technology-driven marketplace platforms (e.g., eBay, Etsy, Craigslist, Airbnb).

Question #23) If your business model is dependent on drivers generating a profit from ride hailing services, how do you justify classifying drivers as independent from your company?

It is common for marketplaces to derive revenue from transactions executed in the marketplace, including where the issue of employment is not controversial. For example, eBay charges sellers "final value fees" which are calculated as a percentage of the value of the item's sale. Etsy has a similar fee arrangement for sellers engaging in its marketplace. Similarly, Uber charges drivers a per-transaction service fee in exchange for a driver's use of Uber's technology-based marketplace.

There are many reasons why drivers are classified as independent and not employees of Uber. Drivers unilaterally choose if, when, where and how to use the Uber app. There is no exclusivity, and many drivers find customers through multiple apps or offline dispatchers. There is no quality application process. There is no minimum commitment or obligation to work or to connect to the Uber app, and there are no required schedules or management. In the United States, 45% of drivers spend less than 10 hours per week on Uber. During the rest of their active time, they may be using other ridesharing applications, or engaging in work via other means.

Independence is not only the ability to choose if and when to work. It is also the freedom to change those decisions in real time. Individuals using Uber can log in and out of the app to suit their preferences or to adapt to unforeseen circumstances, like picking up a sick child from school. A 2019 study indicates that the value derived from such flexibility is quantifiable and the real-time adaptability is particularly valued by drivers.[42] A 2018 survey conducted by prominent blogger The Rideshare Guy found that 75% of drivers do not want to be classified as employees, and prefer being independent contractors.[43] In fact, several previous rulings have found that drivers' work is outside the usual course of Uber's business, which is serving as a technology platform for several different types of digital marketplaces.[44]

Transit Partnerships: At the hearing, Mr. Willis noted that according to Uber's public filings, Uber is seeking new revenue streams, including partnerships with public transportation agencies.

Question #24) What specific types of partnerships does the company envision with public transit agencies? Does this go beyond providing first mile/last mile service, paratransit, or late-night service? Are you seeking Federal transit funds to provide these services?

Over the last several years, Uber has recognized that technology can increase the effectiveness of public transportation. Uber has built lasting partnerships with public transportation agencies around the country and demonstrated how the use of Uber's technology can reduce operational costs, extend the reach of transit, and improve service for all riders, including those with disabilities.[45] From contracting with the Massachusetts Bay Transportation Authority (MBTA) to create a technology platform for on-demand paratransit service in Boston;[46] to working with Pinellas County, Florida (PSTA) to create a technology

---

[42] M Keith Chen et al., *The Value of Flexible Work: Evidence from Uber Drivers*. Technical report, Nat'l Bureau of Econ. Research (2017), available at https://www.nber.org/papers/w23296

[43] Harry Campbell, *2018 Uber and Lyft Driver Survey Results - The Rideshare Guy* (Feb. 26, 2018), https://therideshareguy.com/2018-uber-and-lyft-driver-survey-results-the-rideshare-guy/

[44] *Eisenberg v. Uber Technologies, Inc.*, No. BS166561 (Cal. Sup. Ct. Feb. 21, 2017) (order granting petition to confirm arbitration award); *Gollnick v. Uber Technologies, Inc.*, No. CGC-15-547878 (Cal. Sup. Ct. Oct. 10, 2017) (notice of entry of order granting petition to confirm arbitration award); *Dorr v. Uber Technologies, Inc.*, No. BS172342 (Cal. Sup. Ct. Mar. 9, 2018) (order granting petition to confirm arbitration award); *Biafore v. Uber Technologies, Inc.*, No. BS172429 (Cal. Sup. Ct. Jul. 11, 2018) (notice of entry of order granting petition to confirm arbitration award).

[45] Uber Technologies, *Partnering with Transit Systems, WWW.UBER.COM,* https://www.uber.com/us/en/community/supporting-cities/transit/.

[46] Mass. Bay Transp. Auth., *On-Demand Paratransit Pilot Program*, WWW.MBTA.COM, https://www.mbta.com/accessibility/the-ride/on-demand-pilot.

platform to reach areas traditionally out of reach to conventional transit;[47] to collaborating with Denver's Regional Transit District (RTD) to integrate public transit journey planning and payment options directly through the Uber app,[48] each partnership puts public transportation at its core to incentivize multimodal trips and to reduce the current dependency on private vehicles.

These engagements and integrations are representative of what part of Uber's technology facilitates: expanding transportation access and providing riders and drivers with the best options available for every journey. For many trips, taking public transportation is faster and cheaper than any other form of travel, and we want to give riders a seamless way to access that option within our app. Through our technology, Uber is helping to bring historical transit systems into the future by exposing transit systems to potentially new riders via our app and helping customers more easily take the train or bus. And we've already seen real-world progress.

Uber's journey planning feature, which enables riders to see many options — including public transit — in one place, has already helped nearly half a million riders complete a transit trip using the Uber app.[49] Given these positive trends, Uber plans to launch transit journey planning in ten more cities by the end of 2019, doubling our current number of cities. These encouraging numbers also extend to our transit payment integration partnerships, which provide Uber riders the ability to purchase their transit ticket in the Uber app. To date, Uber's ticketing option in Denver has sold over 12,000 tickets for the city's transit system, with 55% of users continuing to purchase their tickets via Uber the month following their first in-app purchase.[50]

Moving forward, as the growing trends of mass urbanization and new shared mobility services continue to change cities' transportation landscapes, we aim to expand on our existing partnerships with public transit agencies by introducing multimodal trips — a combination of ridesharing, electric bikes and electric scooters, and public transportation — to create an optimal route for a consumer that can be more affordable than routes that do not incorporate public transportation.

The federal government has long played a leading role in improving transportation efficiency by promoting agile, responsive, accessible, and seamless multimodal service inclusive of transit through enabling technologies and innovative partnerships. Through its successful Mobility on Demand (MOD) Sandbox Demonstration program, the Federal Transit Administration (FTA) has revealed that innovations in shared mobility and mobility on demand can increase transportation effectiveness by ensuring that transit is fully integrated and a vital element of a regional transport network that provides consistent, reliable and accessible service to every traveler. Of the eleven initial grant winners, TNCs — including Uber — were partners in nine of the projects, indicating that transit agencies are increasingly contracting with TNCs to help facilitate first-and last-mile service to core transit routes, to connect on-demand

[47] Pinellas Suncoast Transit Auth., *Direct Connect, WWW.PSTA.NET,* https://www.psta.net/riding-psta/direct-connect/.

[48] Regional Transportation District, *Uber Collaboration ⏐ RTD - Denver,* WWW.RTD-DENVER.COM, https://www.rtd-denver.com/projects/uber-collaboration.

[49] Joe Rubino, *Uber and Lyft have made Denver a testing ground*, The Denver Post, Sept. 11, 2019, https://www.denverpost.com/2019/09/11/uber-lyft-denver-testing-ground/

[50] Carolyn Said, *Uber adds public transit to Bay Area app,* San Francisco Chronicle, Sept. 26, 2019, https://www.sfchronicle.com/business/article/Uber-adds-public-transit-to-Bay-Area-app-14469895.php

paratransit access, to expand service to the community during time periods when it is less efficient to run fixed route transit, and to increase demand response options.

To date, the MOD Sandbox Program and the recently-announced Integrated Mobility Innovation (IMI) Program are the only sources of federal funding Uber has utilized, or applied for, to demonstrate how our technology can complement, expand, and improve existing public transportation operations. We hope to continue our work with Congress and the Federal Transit Administration (FTA) to build upon these programs to facilitate the widespread deployment of proven mobility solutions that expand personal mobility for all travelers.