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Assembly California Legislature



LORENA GONZALEZ
ASSEMBLYWOMAN, EIGHTIETH DISTRICT

COMMITTEES
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CHAIR: CALIFORNIA LATINO
LEGISLATIVE CAUCUS

January 9, 2020

Marybel Batjer, President
California Public Utilities Commission
505 Van Ness Ave
San Francisco, CA 94102

Dear Ms. Marybel Batjer,

It is my understanding the commission is considering modifications to its regulations regarding data the commission collects from transportation network companies (TNCs), such as Uber and Lyft. I welcome this review, especially in light of recent, troubling reports of the spotty safety records of some of the TNCs.

As I understand it, the commission, when it first established regulations governing the then-nascent TNCS, chose to use its regulatory authority to require the TNCs to periodically file safety and traffic data with the commission. At that time, the commission, again acting under its regulatory authority, chose to deem such information confidential.

It is important for the commission to keep in mind that state law does not require the commission to maintain the confidentiality of TNC data, as a general matter. And, there is compelling reason to make such data available to government agencies and, in some cases, the public at large. For example, potential TNC passengers have a valid interest in knowing the number of accidents and injuries caused by the drivers of TNCs, as well as incidents of crime and violence committed by TNC drivers, the frequency of such incidents, and the TNCs' and regulators' response to such incidents. Similarly, planning agencies and environmental regulators need access to TNC traffic, safety, and ridership data in order to adequately plan for, design, and construct transit infrastructure. These decisions entail billions of public and private dollars, influence traffic patterns and land use for decades to come, and are essential to the state achieving its economic, social and environmental mandates and goals.

As the commission considers modification to its TNC data regulations, I implore it to keep in mind the health, safety, and welfare imperatives that justify access to the TNC data the commission collects. Commission regulations should presume the availability of TNC data to government agencies and, in many cases, members of the general public, too. I am confident in the ability of the commission to establish rules appropriate to the management of sensitive personal and trade information. The TNCs have demonstrated they possess ample resources to advocate on their behalf before the commission, resources that generally dwarf those available to either the public or local planning agencies. The commission should place the burden on the

TNCs to demonstrate, in each instance, why the commission should maintain TNC data as confidential.

Thank you for your consideration. If you have any questions, please feel free to contact my staff at (916) 319-2081 or Jay.Dickenson@asm.ca.gov.

Sincerely,



LORENA GONZALEZ
Assemblywoman, 80th District

CC: Liane M. Randolph, Commissioner
Martha Guzman Aceves, Commissioner
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