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For Immediate Release

Maryland PSC Approves Alternative Background Checks for Uber and Lyft Drivers

(BALTIMORE, MD-December 22, 2016) – The Maryland Public Service Commission has approved an alternative background check process for Transportation Network Companies (TNCs) Rasier, LLC (a subsidiary of Uber Technologies, Inc.) and Lyft, Inc., in lieu of a fingerprinting-based background check. Both companies had applied for a waiver of the fingerprint requirement for their drivers, arguing that the commercial background checks they use are more comprehensive and accurate.

In Order No. [87957](#), the Commission noted that Rasier and Lyft's background checks involve extensive efforts to identify criminal history, are supplemented by ongoing safety protocols and updates, and include unique and emerging methods of authenticating the identity of drivers. The Commission noted that neither fingerprinting-based nor commercial background checks are completely comprehensive and accurate. In order to ensure that the safety of the riding public is maintained at the high standards set by the General Assembly, the Commission has approved a process that incorporates all aspects of the TNCs' current methods AND requires additional safety provisions. The Commission stated, "we find that the alternative background check processes we approve are as comprehensive and accurate as the fingerprint-based background check."

The additional requirements include:

- TNCs must rerun background checks on all drivers annually;
- Any background check provider used by a TNC must be audited and accredited by the Background Screening Credentialing Council of the National Association of Professional Background Screeners;
- If a TNC plans to contract with a different background check provider or makes significant changes to its background check process it must provide notice in writing 60 days in advance to the Commission;
- With each driver application submitted to the Commission, the TNC must provide written certification that the TNC has verified the identity of an applicant;

- TNCs must require drivers to agree to report arrests and convictions to the TNCs within three business days. The TNCs must then promptly report to the Commission any deactivations that result;
- TNCs must look back through the entire adult history of its applicants for convictions in Maryland and, where possible, convictions in other jurisdictions;
- The Commission may order TNCs to revisit a background check of any driver the Commission believes may need to have their criminal history reexamined;
- TNCs must require drivers to agree to return the company's trade dress (car decals, etc.) if they become permanently deactivated;
- Annual reports to the Commission, Commission Staff and the Office of People's Counsel, on the TNCs operations under the alternative background check, including information on safety-related complaints, changes to internal background check processes, driver deactivations and the total number of active drivers.

Each company will have 10 business days to accept the modifications or else the waiver requests will be denied.

Complete details of Order No. [87957](#), in Case No. [9425](#) can be found on the Commission's website, www.psc.state.md.us

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About the Public Service Commission:

The Maryland Public Service Commission regulates electric and gas utilities, telephone companies (land lines), certain water and sewer companies, passenger motor vehicle carriers for hire (sedans, limousines, buses, Uber, Lyft), taxicab companies (in Baltimore City and County, Cumberland and Hagerstown) and bay pilot rates.

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