

RASIER-CA, LLC:
PLAN REGARDING UNACCOMPANIED MINORS

June 6, 2016

(Pursuant to the Assigned Commissioner's Ruling issued on May 11, 2016 and clarified on May 23, 2016, Rasier-CA, LLC is submitting this report to SED)

Rasier-CA, LLC: Plan Regarding Unaccompanied Minors

How each TNC will prominently notify its app subscribers that the transportation of unaccompanied minors is prohibited.

How each TNC will prominently notify its TNC drivers that the transportation of unaccompanied minors is prohibited, and what actions a TNC driver should take if a ride is requested for an unaccompanied minor.

Users who request trips on the Uber platform must agree to the service's terms and conditions. These terms and conditions expressly require a user to be at least 18 years of age to use the services and to obtain an account:

[i]n order to use most aspects of the Services, you must register for and maintain an active personal user Services account ("Account").
You must be at least 18 years of age, or the age of legal majority in your jurisdiction (if different than 18), to obtain an Account.

(emphasis added). Further, the terms and conditions clearly state that the service is not available for persons under the age of 18 and that a user may not authorize a third-party to use their account or transport unaccompanied minors:

The Service is not available for use by persons under the age of 18. You may not authorize third parties to use your Account, **and you may not allow persons under the age of 18 to receive transportation or logistics services from Third Party Providers unless they are accompanied by you.**

(emphasis added). These terms and conditions are available at any time at the following webpage: <https://www.uber.com/legal/terms/us/>.

Rasier-CA, LLC ("Rasier") also provides public notification of its policy regarding the transportation of unaccompanied minors on its webpages for California. First, riders are generally directed to Uber city webpages. These city webpages are

intended as a resource for riders and provide information about policies, services, and available products. The California city webpages include the following language:

In California, unaccompanied minors are prohibited from traveling with most carriers, including TNCs. In California, a rider must be 18 to sign up for an Uber account, but if a driver believes a rider might be underage, the driver may ask the rider to confirm their age. The driver may also let a rider know that the driver will have to cancel the trip if the rider is indeed under 18. In addition, drivers can report requests to transport unaccompanied minors by submitting in-app feedback.

Second, drivers are directed to the UberMovement webpages. These webpages serve as a resource for driver-partners and outline city- and airport-specific policies and regulations.

The California UberMovement webpages include the following language:

In California, unaccompanied minors are prohibited from traveling with most carriers, including TNCs. In California, a rider must be 18 to sign up for an Uber account, but if you believe a rider might be underage, you can ask them to confirm their age and let them know that you will have to cancel the trip if they are indeed under 18. In addition, you can report requests to transport unaccompanied minors by submitting in-app feedback.

In addition, Rasier-CA will provide drivers with information on its policy regarding unaccompanied minors to its drivers. Rasier-CA is currently working to implement the new requirements adopted in D.16-04-041, including updated driver training and additional notice to drivers. *See* D.16-04-041, at 25-26, 56 (Ordering Paragraph 5). As part of these efforts, both the updated driver training video and the updated driver notice will include a discussion of the prohibition on transporting unaccompanied minors in California.

How each TNC will track and verify that unaccompanied minors are not being transported by a TNC driver.

Rasier-CA relies on its robust feedback system to identify and act on requests to transport unaccompanied minors. Rasier-CA's feedback system seeks input from drivers and riders in order to monitor incidents occurring on the platform as well as driver and rider behavior. Rasier-CA is able to review feedback in order to identify requests to transport unaccompanied minors. Rasier-CA can then issue warnings to riders and driver-partners who use its digital platform to transport unaccompanied minors. In some instances, riders' and driver-partners' accounts may also be deactivated.

Additional tracking or verification requirements would be unnecessarily intrusive and burdensome. For instance, requiring drivers to check personal identification of riders would require riders to expose substantial amounts of personally identifying information to their drivers. This information could include a rider's full name, home address, and date of birth. More problematically, such a requirement could potentially deny mobility to historically underserved portions of the population. These individuals may not have the most common documentation used to verify age. For example, according to a 2006 study conducted by the Brennan Center for Justice, "[a]s many as 11 percent of United States citizens--more than 21 million individuals--do not have government-issued photo identification."¹ The individuals who lack photo identification also tend to be from historically underserved communities, including the elderly, minorities, and those with lower income.² To require a rider age verification system would risk systematically

¹ Brennan Center for Justice, *Citizens without Proof*, November 2006, at 3, available at: http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf.

² *Id.*

preventing these individuals from accessing the affordable transportation option that TNCs offer.

TNCs should not be singled out and required to further track and verify that unaccompanied minors are not being transported on a trip-by-trip basis. Rasier-CA is not aware of requirements for other transportation providers regulated by the Commission to track and verify this information. Since at least 1990, the Commission has been aware that limousine operators and other charter-party carriers sometimes transport unaccompanied minors,³ but the Commission has not required these carriers to track and verify that unaccompanied minors are not being transported. Imposing such a requirement on TNCs would unfairly single out TNCs from other regulated transportation companies.

How each TNC will enforce the prohibition against transporting unaccompanied minors.

What actions each TNC will impose on the TNC app subscriber that requests that a TNC driver transport an unaccompanied minor.

What actions each TNC will impose on the TNC driver that transports an unaccompanied minor.

Riders

Rasier-CA deactivates a rider's account when Rasier-CA receives information leading it to believe that the account holder is a minor. The rider's account will remain deactivated until the account holder is able to provide photo identification that

³ 37 CPUC 2d 124, 1990 Cal. PUC LEXIS 691 *3-4 ("In this regard, we are mindful that limousine operators and other charter-party carriers sometimes transport unaccompanied minors, particularly during prom season.").

demonstrates he or she is age 18 or older. Rasier-CA will continue to apply and enforce this policy.

In addition, Rasier-CA is in the process of implementing an updated enforcement policy that will address account holders who use their accounts to transport unaccompanied minors who are not the account holders. Under this policy, when Rasier-CA is informed that a rider has requested a trip on its digital platform for an unaccompanied minor, the account holder will be notified that he or she has violated Rasier-CA's policy. If Rasier-CA continues to receive reports of such activity, the rider's account will be permanently deactivated.

Drivers

Rasier-CA continues to consider ways to improve its policy by also addressing driver-partners who are reported as transporting unaccompanied minors. Rasier-CA's policy will seek to ensure compliance with the Commission's rules while ensuring that driver-partners are not unfairly penalized. Under this policy, if Rasier-CA receives multiple reports that a driver-partner transported an unaccompanied minor, the driver-partner will be permanently deactivated. Because riders are in the best position to know whether an unaccompanied rider is a minor, Rasier-CA will consider mitigating factors, such as whether a driver-partner self-reported a violation. Rasier-CA believes that encouraging self-reporting is important in order to avoid unintended safety consequences. For example, a driver-partner might accept a trip, only to see that the passenger may be an unaccompanied minor. The driver-partner might have concerns about the rider's safety given the surrounding neighborhood, the time of day, or other factors. If so, the driver-partner may reasonably believe that the best course of action is to transport the

minor, and then report the trip to allow Rasier-CA to take action against the rider account holder. Similarly, Rasier-CA's policy will be focused on driver-partners who have knowingly transported an unaccompanied minor. Rasier-CA believes that this updated policy balances important safety considerations and fairness to its driver-partners while holding driver-partners accountable for complying with the Commission's rules and regulations.

If a TNC is planning to expand its services to include the transport of unaccompanied minors, including where such service is one of a range of services offered by the TNC, its plan for meeting the requirements of D.16-04-041 and D.97-07-063 and requesting Commission approval of its license to perform such operations before initiating the service.

Currently, Rasier-CA does not have plans to expand its product offerings in California to include services that target the transportation of unaccompanied minors. Should Rasier-CA determine that it will expand its services in that area, Rasier-CA will follow up with the Commission.