

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 606
HOUSE BILL 749

AN ACT TO ADOPT A "MODEL RIDESHARING LAW" AND TO AMEND THE WAGE
AND HOUR LAW, MOTOR VEHICLES, TAXATION AND TAXI REGULATIONS TO
PROMOTE PUBLIC AND PRIVATE RIDESHARING ARRANGEMENTS.

The General Assembly of North Carolina enacts:

Section 1. Article 2B of Chapter 136 of the General Statutes is hereby amended by the addition of the following:

"§ 136-44.21. **Ridesharing arrangement defined.** — Ridesharing arrangement means the transportation of persons in a motor vehicle where such transportation is incidental to another purpose of the driver and is not operated or provided for profit. The term shall include ridesharing arrangements such as carpools, vanpools and buspools.

"§ 136-44.22. **Workers' Compensation Act does not apply to ridesharing arrangements.** — Chapter 97 of the General Statutes shall not apply to a person injured while participating in a ridesharing arrangement between his or her place of residence and a place of employment or termini near such place, provided that if the employer owns, leases or contracts for the motor vehicle used in such an arrangement, Chapter 97 of the General Statutes shall apply.

"§ 136-44.23. **Ridesharing arrangement benefits are not income.** — Any benefits, other than salary or wages, received by a driver or a passenger while in a ridesharing arrangement shall not constitute income for the purposes of Article 4 of Chapter 105 of the General Statutes.

"§ 136-44.24. **Municipal licenses and taxes.** — No county, city, town or other municipal corporation may require a business license for a ridesharing arrangement, nor may they require any additional tax, fee, or registration on a vehicle used in a ridesharing arrangement.

"§ 136-44.25. **Wage and Hour Act.** — The provisions of Article 2A of Chapter 95 of the General Statutes of North Carolina shall not apply to an employee while participating in any ridesharing arrangement as defined in G.S. 136-44.21, as provided in G.S. 95-25.14(b)(5).

"§ 136-44.26. **Use of public motor vehicles for ridesharing.** — Motor vehicles owned or operated by any State or local agency may be used in ridesharing arrangements for public employees, provided the public employees benefiting from said ridesharing arrangements shall pay fees which shall cover all capital operating costs of the ridesharing arrangements."

Sec. 2. G.S. 95-25.14(b) is amended by adding a new subsection to read:

"(5) Any person while participating in a ridesharing arrangement as defined in G.S. 136-44.21."

Sec. 3. G.S. 20-4.01(27)b is rewritten to read:

"b. For Hire Passenger Vehicles. Vehicles Transporting Persons For Compensation. This classification shall not include vehicles operated as ambulances, vehicles operated by the owner where the costs of operation are shared by the passengers, vehicles operated on behalf of any employer pursuant to a ridesharing arrangement as defined in G.S. 136-44.21, vehicles transporting students for the public school system under contract with the State Board of Education or vehicles leased to the United States of America or any of its agencies on a nonprofit basis."

Sec. 4. G.S. 105-141(b) is amended by adding a new subdivision to read:

"(28) Money and other benefits, other than salary or wages, received by a driver or passenger while in a ridesharing arrangement as defined by G.S. 136-44.21."

Sec. 5. G.S. 160A-304(a) is amended by adding the following new language immediately after the second sentence:

"The ordinances may also specify the types of taxicab services which are legal in the municipality; provided, that in all cases shared-ride services as well as exclusive-ride services shall be legal. Shared-ride service is defined as a taxi service in which two or more persons with either different origins or with different destinations, or both, occupy a taxicab at one time. Exclusive-ride service is defined as a taxi service in which the first passenger or party requests exclusive use of the taxicab."

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of June, 1981.