

NEW MEXICO PUBLIC REGULATION COMMISSION  
1120 PASEO DE PERALTA  
PERA BUILDING  
P.O. BOX 1269  
SANTA FE, NM 87504

APPLICATION FOR TRANSPORTATION NETWORK COMPANY PERMIT

Date:

Application is hereby made for a Transportation Network Company ("TNC") Permit, in accordance with the provisions of the Transportation Network Company Services Act.

1. Applicant's name and contact information:

Name	
Street Address of Applicant	
Phone	Fax
Email Address	
Registered Agent in New Mexico	

2. Select Entity Type: (Check one)

Individual Owner/Sole

Proprietorship

Partnership - List names and addresses of all person having an interest in the business.

Corporation - List names and addresses of two principal officers.

Limited Liability Company -- List names and addresses of managing members.

3. Describe the type of services to be performed by the applicant:

4. Applicant is submitting an annual permit fee of \$10,000 as set forth in Section 4.C of the Transportation Network Company Services Act.

Yes

No

5. Applicant has attached a copy of the insurance policy which meets the requirements set forth in Section 8 of the Transportation Network Company Services Act, and which identifies the Public Regulation Commission as a named insured.

Yes No

6. Applicant has attached a copy of the insurance coverage disclosures which meets the requirements set forth in Section 9 of the Transportation Network Company Services Act.

Yes No

7. If a fare is charged, Applicant discloses to customers the fare calculation method on its website or within the software application service.

Yes No

8. Applicant provides customers with the applicable rates and any fees being charged and provides customers the option to receive an estimated fare before the customer enters a personal vehicle for a prearranged ride. (Section 5 of the Transportation Network Company Services Act.)

Yes No

9. Applicant's digital network provides the potential customer a picture of the TNC Driver, and the license plate number, state of vehicle registration, and make and model of the motor vehicle utilized for providing TNC services. (Section 6 of the Transportation Network Company Services Act.)

Yes No

10. Within twenty-four hours after the completion of a trip, Applicant electronically transmits a receipt to the passenger that lists: (a) the origin and destination of the prearranged ride; (b) the total time elapsed of and distance of the prearranged ride; and (c) an itemization of the total fare paid, if any. (Section 7 of the Transportation Network Company Services Act.)

Yes No

11. Applicant has a zero tolerance policy regarding drug and alcohol use by TNC Drivers as described in Section 11 of the Transportation Network Company Services Act.

Yes No

12. Prior to permitting an individual to act as a TNC Driver on its digital platform, Applicant adheres to the requirements of Section 12 of the Transportation Network Company Services Act.

Yes No

13. Prior to permitting an individual to operate a TNC vehicle on its digital platform, Applicant adheres to the vehicle inspection requirements of Section 13 of the Transportation Network Company Services Act.

Yes No

14. Applicant has a policy prohibiting solicitation or acceptance of street hails as described in Section 14 of the Transportation Network Company Services Act.

Yes No

15. Applicant has a policy prohibiting solicitation or acceptance of cash payments from riders as described in Section 15 of the Transportation Network Company Services Act.

Yes No

16. Applicant has a policy of non-discrimination as described in Section 16 of the Transportation Network Company Services Act.

Yes No

17. Applicant maintains records as required by Sections 17 and 20 of the Transportation Network Company Services Act.

Yes No

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Applicant is familiar with the provisions of the Transportation Network Company Services Act and intends to comply with the requirements set forth therein.

The above information is true and correct as of the time of this application to the best of my knowledge and belief.

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Applicant (or Applicant's Authorized Representative)

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Title (if Applicant's Authorized Representative)

CONFIDENTIAL

**Addendum to Application for Transportation Network Company Permit**

1. Form of Ownership:

2. Combined reporting system (CRS) number obtained from the New Mexico taxation and revenue department:

**Form T**  
**UNIFORM BODILY INJURY AND PROPERTY**  
**DAMAGE LIABILITY**  
**CERTIFICATE OF INSURANCE FOR USE BY TRANSPORTATION NETWORK COMPANIES**

Filed with the New Mexico Public Regulation Commission (hereinafter called Commission)

This is to certify, that \_\_\_\_\_  
\_\_\_\_\_ has issued to \_\_\_\_\_ a policy or policies of  
insurance effective from March 1, 2016 12:01 A.M. standard time at the address of the insured stated in  
said policy or policies and continuing until cancelled as provided herein, which provide automobile bodily  
injury and property damage liability insurance covering the obligations imposed upon such transportation  
network company by the provisions of the transportation network company laws of the State in which the  
Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said  
policy or policies and all endorsements thereon, provided, however, that information regarding premium  
paid and calculated for the policy shall be deemed confidential and shall not be disclosed.

This certificate and the endorsement described herein may not be cancelled without cancellation  
of the policy to which it is attached. Such cancellation may be effected by the Company or the insured  
giving thirty (30) days' notice in writing to the Commission, such thirty (30) days' notice to commence to  
run from the date notice is actually received in the office of the Commission.

(Policy Numbers)

(Authorized Company Representative)

**TITLE 18       TRANSPORTATION AND HIGHWAYS**  
**CHAPTER 7     TRANSPORTATION NETWORK COMPANIES**  
**PART 1         GENERAL PROVISIONS**

**18.7.1.1       ISSUING AGENCY:** New Mexico Public Regulation Commission.  
[18.7.1 NMAC - N/E, 05/18/16]

**18.7.1.2       SCOPE:** This rule applies to all transportation network companies subject to the jurisdiction of the commission.  
[18.7.1.2 NMAC - N/E, 05/18/16]

**18.7.1.3       STATUTORY AUTHORITY:** This part is promulgated pursuant to the provisions of the Transportation Network Company Services Act; and Section 8-8-4 NMSA 1978.  
[18.7.1.3 NMAC - N/E, 05/18/16]

**18.7.1.4       DURATION:** Until adoption of permanent rules.  
[18.7.1.4 NMAC - N/E, 05/18/16]

**18.7.1.5       EFFECTIVE DATE:** May 18, 2016, unless a later date is cited at the end of a section.  
[18.7.1.5 NMAC - N/E, 05/18/16]

**18.7.1.6       OBJECTIVE:** The purpose of this rule is to set forth rules governing permit application processes, vehicle inspections, and proof of financial responsibility for transportation network companies in New Mexico. This rule relates directly to the safety of vehicles to be used in providing transportation services under the Transportation Network Company Services Act (TNCSA) and is adopted on an emergency basis pursuant to NMSA 1978 Section 8-8-4 to preserve the public peace, health, safety or general welfare. This rule shall remain in effect until the permanent rules are adopted in compliance with NMSA 1978 Section 8-8-15 which may exceed 60 days.  
[18.7.1.6 NMAC - N/E, 05/18/16]

**18.7.1.7       DEFINITIONS:** In addition to the definitions contained in NMSA 1978 Section 65-7-2, as used in this rule:

**A.           “Act”** means the Transportation Network Company Services Act, NMSA 1978 Sections 65-7-1 to 65-7-22.

**B.           “Commission”** means the New Mexico Public Regulation Commission.  
[18.7.1.7 NMAC - N/E, 05/18/16]

**18.7.1.8       TRANSPORTATION NETWORK COMPANY VEHICLE INSPECTIONS:**

**A.           A** transportation network company shall cause to be inspected, by a mechanic certified by the national institute for automotive service excellence (ASE) or qualified pursuant to the requirements of 49 CFR 396.19 of the code of federal regulations, every motor vehicle used by a driver to provide prearranged rides before allowing the driver to use the motor vehicle to provide prearranged rides and not less than once each year thereafter, as set forth in NMSA 1978 Section 65-7-13(C).

**B.           The** inspection required by 18.7.1.8 subsection A NMAC must include, without limitation, an inspection of the foot and emergency brakes, steering, windshield, rear window, other glass, windshield wipers, headlights, taillights, turn indicator lights, braking lights, front seat adjustment mechanisms, doors, horn, speedometer, bumpers, muffler, exhaust, tires, rear view mirrors and safety belts of the vehicle which ensures the proper functioning of each component or an inspection complying with the requirements of 49 CFR 396.17 or 49 CFR 396.23, as well a brake inspection performed by an inspector qualified pursuant to the requirements of 49 CFR 396.25 of the code of federal regulations.

**C.           Records** of all inspections performed pursuant to section shall be maintained in accordance with the requirements of Title 49, Section 396.21 of the code of federal regulations and the Act.

[18.7.1.8 NMAC - N/E, 05/18/16]

**18.7.1.9       TRANSPORTATION NETWORK COMPANY PERMIT APPLICATION PROCESS:**

A. A transportation network company shall apply for a transportation network company permit from the commission in writing on the form prescribed by the director of the commission's transportation division in accordance with 18.3.1.12 NMAC.

B. An application for a transportation network company permit shall contain the following information and documents:

- (1) the applicant's name;
- (2) if the applicant is a sole proprietorship or a partnership, the applicants' social security number(s) for purposes of verifying parental responsibility act compliance;
- (3) the applicant's d/b/a name, if applicable;
- (4) the applicant's principal place of business and mailing address;
- (5) the applicant's electronic mail address;
- (6) if the applicant is a corporation;
  - (a) the names and addresses of two principal officers;
  - (b) evidence that the applicant is authorized by the office of the secretary of state to do business in New Mexico and is in good corporate standing.
- (7) if the applicant is other than a corporation, a description of the form of ownership and the names and addresses of all principal owners and managers;
- (8) appointment of an agent for service of process;
- (9) a statement and general description of the type of services to be performed by the applicant;
- (10) an annual permit fee of \$10,000 as set forth in NMSA 1978 Section 65-7-4(C);
- (11) a copy of the insurance policy that meets the requirements set forth in NMSA 1978 Section 65-7-8;
- (12) a copy of the insurance coverage disclosures that meets the requirements set forth in NMSA 1978 Section 65-7-9;
- (13) the applicant's combined reporting system (CRS) number obtained from the New Mexico taxation and revenue department;
- (14) a certification that the applicant complies or, once permitted in the state, will comply with the requirements of the Transportation Network Company Services Act.

C. Upon receipt of a completed application and upon a determination by the director that an applicant meets the requirements for the issuance of a permit, the director will issue a permit to the applicant within 15 calendar days after receipt of the application.

D. A permit issued to a transportation network company by the commission shall be effective for one year.

[18.7.1.9 NMAC - N/E, 05/18/16]

#### **18.7.1.10 PROOF OF FINANCIAL RESPONSIBILITY:**

A. Each transportation network company must file proof of financial responsibility with the commission in the exact legal and d/b/a names as the name in which the permit is issued demonstrating compliance with Transportation Network Company Services Act, NMSA 1978 Section 65-7-8.

B. The commission will accept as proof of the required financial responsibility a completed Form T, Uniform Bodily Injury and Property Damage Liability Certificate of Insurance for Use by Transportation Network Companies, showing the issuance of an insurance policy with the required uniform endorsement by a company authorized to do business in the state of New Mexico or with a surplus lines insurer eligible pursuant to the New Mexico Insurance Code, on uniform filing Form T, Uniform Bodily Injury and Property Damage Liability Certificate of Insurance for Use by Transportation Network Companies, available from the office of the commission.

C. Cancellation of the insurance policy required under the Act may be effected only by giving 30 days' notice in writing to the Commission, with such 30 days' notice to commence from the date notice is actually received in the office of the Commission.

[18.7.1.10 NMAC - N/E, 05/18/16]

**HISTORY OF 18.7.1 NMAC: [RESERVED]**