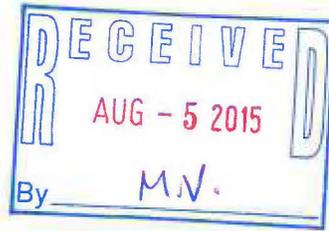


UBER



Item 30

12

#15-0899

## Ridesharing at LAX by the numbers

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20,000+

number of people who have signed petition calling for ridesharing at LAX

3,800+

number of residents in **District 4** who have signed petition calling for ridesharing at LAX

3,250+

number of Uber driver-partners in **District 4**

## 14 of the nation's top 50 airports,

including four others in California, have embraced ridesharing services like Uber

Dallas, Fort Worth (DFW)  
Denver (DEN)  
San Francisco (SFO)  
Houston (IAH)  
San Diego (SAN)

Portland (PDX)  
Houston, Hobby (HOU)  
Nashville (BNA)  
Austin (AUS)  
Oakland (OAK)

Orange County (SNA)  
Dallas, Love Field (DAL)  
Pittsburgh (PIT)  
Indianapolis (Ind)

\$1,000,000

amount of commercial auto insurance while on airport property for TNC purposes

The \$1 million of liability coverage includes drivers' use of their vehicles on public airport premises, including picking up, dropping off, exiting after drop offs, and being available to receive trip requests.

\$1,000,000

liability coverage per incident during rideshare trips.

\$1,000,000

uninsured/underinsured motorist bodily injury coverage per incident.

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## A Commitment to Safety

We believe that Uber is a safe, reliable way to get from A to B. Our technology makes it possible to focus on safety for riders and drivers before, during, and after a trip – and all driver-partners wanting to use the Uber platform are required to undergo an extensive background check, which is performed on our behalf by Accurate and/or Checkr.

# UBER

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**Key Highlights from *Details on Safety***

*From the Uber Newsroom, July 15, 2015 (Full text available: <http://t.uber.com/detailsonsafty>)*

- All driver-partners wanting to use the Uber platform are required to undergo an extensive background check, which is performed on our behalf by Accurate and/or Checkr. Both are accredited by the National Association of Professional Background Screeners and use a process for Uber that is similar to that provided to other companies such as Care.com, Starbucks, WalMart, Nike, FedEx, UPS, and Amazon.
- Taxi drivers in most cities in California undergo a background check using a company called Live Scan, which takes an individual's fingerprints and then runs them through FBI and state databases looking for a match. Although there are benefits of using biometric identification in a background check process, Live Scan is not 100% accurate.
- Uber experiences the consequences of an imperfect Live Scan process first hand when taxi drivers apply to use our platform (we require that their backgrounds are double-checked by Accurate or Checkr).
- In 2014 at least 600 people in San Diego, Los Angeles, and San Francisco — all cities that require taxi drivers to go through Live Scan — who previously drove taxis failed our background check. These drivers were not given access to Uber's platform, but may continue transporting passengers by taxi. Their records included convictions for sex offenses or rape (19 potential drivers), DUIs (36 potential drivers), child endangerment or abuse (seven potential drivers), and assault or battery (51 potential drivers).
- In San Francisco, where taxi drivers go through a Live Scan background check, NBC did an investigation earlier this year. They found that only two out of 13 taxi drivers had clean driving records. The 11 others had violations for driving without valid registration and running red lights. One taxi driver was found to have had nine traffic violations in the preceding 18 months. Further, a DUI does not automatically disqualify someone from driving a taxi in San Francisco.
- In addition, the FBI database and the state databases against which Live Scan fingerprints are matched include arrest records for people who were never charged let alone convicted. This known issue often flags innocent people, unfairly discriminating against them and preventing them from earning a living. Live Scan also does not include convictions if fingerprints were not taken at the time of arrest.
- In California, for example, there is a seven year lookback limit for companies like Accurate and Checkr. In addition, there are rules that limit the availability of specific records. Not all sex offenders will appear on the California Department of Justice (DOJ)'s sex offender registry because some have, by law, been kept off. This may be because the individual concerned has successfully petitioned the State Attorney General to have his/her name removed.
- To conclude, every system of background checks that is available today has its flaws. But we believe that the procedures used by Uber and other TNCs stack up well against the alternatives in terms of safety — while not disadvantaging people who may have been arrested but never charged.

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1. AS OF JULY 1, 2015.  
 2. THESE POTENTIAL DRIVERS EITHER SELF-IDENTIFIED AS CURRENT OR FORMER TAXI DRIVERS OR ARE AMONG THE COHORT OF TAXI DRIVERS IN SAN FRANCISCO WITH WHOM UBER CONTRACTS.  
 3. ACCORDING TO THE CALIFORNIA DOJ, "APPROXIMATELY 25% OF REGISTERED SEX OFFENDERS CANNOT BE POSTED ONLINE BY LAW. WHETHER PUBLIC DISCLOSURE IS PERMITTED IS BASED ON THE TYPE OF SEX CRIME FOR WHICH THE PERSON IS REQUIRED TO REGISTER" SEE "SEX OFFENDER REGISTRATION AND EXCLUSION INFORMATION," AVAILABLE AT [HTTP://WWW.MEGANSLAW.CA.GOV/SEXREG.ASPX?LANG=ENGLISH](http://www.meganslaw.ca.gov/sexreg.aspx?lang=english) (LAST VISITED JUNE 19, 2015).

U B E R

## Details On Safety

July 15, 2015

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Two weeks ago, we were excited that San Diego Airport gave us permission to offer ridesharing pick-ups from San Diego Airport. In our application to the Airport Authority, we explained in detail how Uber focuses on safety for riders and driver-partners before, during and after a ride—as well as how our background checks work in California.

We are posting a summary here so that anyone can easily see how we approach safety in California. Moving people—the world's most precious cargo—from A to B is a huge responsibility. While no means of transportation can ever be 100% safe, we believe that Uber is a reliable, convenient way to get around.

As always your feedback and questions are welcome at [safety@uber.com](mailto:safety@uber.com).

Joe Sullivan, Chief Security Officer

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### Before the ride begins

- Uber has liability insurance designed to cover every ride on Uber's TNC platform in California up to \$1M for physical injuries or damage to property. State and local laws require drivers on platforms such as UberBLACK or uberTAXI to maintain their own commercial insurance.
- Riders can easily share ride details, including the specific route and estimated time of arrival, with friends or family so they can see a rider's current location and arrival time.
- Riders can also see the route on the map in the app. The location is clearly marked so riders know where they are on their journey—and if they are on the right route.
- Uber uses GPS to keep a record of where a driver goes during the ride, creating accountability and a strong incentive for good behavior.
- There's no cash involved. This is particularly good for driver-partners because carrying cash can make them a target.

## During a ride

- A rider can start the Uber app from anywhere and wait safely for the car to arrive. That means no standing on the street to hail a cab or walking around strange neighborhoods to find the nearest bus stop.
- When a driver-partner accepts the request, a rider typically sees his or her first name, photo, license plate number and a picture of the vehicle. Riders can also check whether others have had a good experience with him or her. In addition, the driver can see a rider's first name and rating.
- Riders can contact their driver—and vice versa—if there is any confusion around pick-up details. But we use technology that allows us to anonymize rider and driver phone numbers so they do not have one another's actual contact details going forward.
- Uber's policy requires driver-partners using the Uber platform to undergo an extensive background check (see below for more details).

## After the ride ends

- We ask riders and drivers to rate each other and provide feedback before booking or accepting another ride. Our safety team reviews this information and investigates any issues.
- If something happens while in the car, whether it's a traffic accident or an altercation between rider and driver, our customer support staff are ready to respond 24 hours a day, seven days a week.
- In cases where law enforcement provides us with valid legal process, we work to get them the facts, for example providing trip logs.

Of course holding drivers and riders accountable for their behavior is important for everyone's safety. It's why:

- Driver-partners using the Uber platform undergo an extensive background check; and
- Riders and drivers with whom others have consistently had a very bad experience, or who have been involved in a serious safety incident while on the platform, are no longer allowed to use Uber.

# Background Checks in California

## Uber's approach to pre-screening

All driver-partners wanting to use the Uber platform are required to undergo an extensive background check, which is performed on our behalf by Accurate and/or Checkr. Both are accredited by the National Association of Professional Background Screeners and use a process for Uber that is similar to that provided to other companies such as Care.com, Starbucks, WalMart, Nike, FedEx, UPS, and Amazon. (1)

People wanting to sign up with Uber as a driver-partner are required to provide detailed information, including their full name, date of birth, social security number, driver's license number, a copy of their driver's license, vehicle registration, insurance, and proof of a completed vehicle inspection. With the potential driver's approval, Accurate and/or Checkr then look into his or her background. They run a social security trace to identify addresses associated with the potential driver's name during the past seven years, and then a criminal background check to search for his or her name and addresses in a series of national, state and local databases for convictions in the last seven years. These include the National Sex Offender Registry, National Criminal Search and several different databases used to flag suspected terrorists. Upon identifying a potential criminal record, the background check provider sends someone to review the record in-person at the relevant courthouse or, if possible, pulls the record digitally. Verifying potential criminal records at the source—the courthouse records—helps ensure the records match the identity of the potential driver and that any arrest resulted in a conviction.

These background checks also pull the Motor Vehicle Registration (MVR) file associated with the license number provided. The MVR is not always included as a standard part of criminal background checks. But Uber believes it is important for screening driver-partners because it includes information about how many speeding or other moving violations an individual has received.

The purpose of running these background checks is to identify offenses and other information that may disqualify potential driver-partners from using Uber. The following chart explains the criteria applied when reviewing a potential driver's background—this is not an exhaustive or detailed list, but covers the primary criteria that lead to disqualification.

## All driver-partners

Disqualification if potential driver appears on the DOJ50-State Sex Offender Registry or the National Sex Offender Registry or on a series of databases that flag suspected terrorists. Disqualification if within the last **7 years**, he/she is found to have convictions for any of the below on their record:

- DUI or other drug-related driving convictions
- Fraud
- Reckless driving
- Hit and runs
- Violent crimes (assault, battery, homicide)
- Acts of terror
- Sexual offenses
- A crime involving property damage
- Felony or misdemeanor for theft (burglary, stealing, robbery, anything alike)
- Fatal accidents
- Resisting/evading arrest
- Any other felony

Disqualification if in the state in which the potential driver is currently licensed, the potential driver is found to have any of the below on their record within the past **3 years**:

- Driving on a suspended, revoked, or invalid license
- Driving with suspended, revoked, or invalid insurance

### In addition, for uberX and uberTaxi

Disqualification if in the state in which potential driver is currently licensed, the potential driver is found to have had a total of **THREE** minor violations or incidents in the past **THREE** years:

- Accidents
- Normal speeding tickets
- Miscellaneous driving violations (e.g., traffic violations)

## In addition, for UberBLACK

Disqualification if in the state in which potential driver is currently licensed, the potential driver is found to have had a total of **FIVE** minor violations or incidents in the past **FIVE** years:

- Accidents
- Normal speeding tickets
- Miscellaneous driving violations (e.g., traffic violations)

## Other for-hire transportation services in California

Taxi drivers in most cities in California undergo a background check using a company called Live Scan, which takes an individual's fingerprints and then runs them through FBI and state databases looking for a match. Although there are benefits of using biometric identification in a background check process, Live Scan is not 100% accurate. For example:

- Smudged or smooth prints: A person's skin may smooth with age or use, or the prints may get smudged during the process. This allows people with criminal records to pass a Live Scan background check because their prints have changed from when they were arrested.
- Manual error: According to the California Attorney General when there is a potential match against low-quality fingerprints, it must be verified visually by a technician. A 2011 study by Carnegie Mellon looked at technicians' accuracy rates when visually reviewing fingerprint matches—85% of the technicians studied reached at least one false-negative conclusion, for an overall false-negative rate of 7.5%. In other words, biometric background check processes may miss 7.5% of criminals with low quality fingerprints.

Uber experiences the consequences of an imperfect Live Scan process first hand when taxi drivers apply to use our platform (we require that their backgrounds are double-checked by Accurate or Checkr).

In 2014 at least 600 people in San Diego, Los Angeles, and San Francisco—all cities that require taxi drivers to go through Live Scan—who previously drove taxis failed our background check. (2) These drivers were not given access to Uber's platform, but

may continue transporting passengers by taxi. Their records included convictions for sex offenses or rape (19 potential drivers), DUIs (36 potential drivers), child endangerment or abuse (seven potential drivers), and assault or battery (51 potential drivers).

In San Francisco, where taxi drivers go through a Live Scan background check, NBC did an investigation earlier this year. They found that only two out of 13 taxi drivers had clean driving records. The 11 others had violations for driving without valid registration and running red lights. One taxi driver was found to have had nine traffic violations in the preceding 18 months. Further, a DUI does not automatically disqualify someone from driving a taxi in San Francisco.

In addition, the FBI database and the state databases against which Live Scan fingerprints are matched include arrest records for people who were never charged let alone convicted. This known issue often flags innocent people, unfairly discriminating against them and preventing them from earning a living. Live Scan also does not include convictions if fingerprints were not taken at the time of arrest.

- A 2014 Wall Street Journal investigation found the FBI's records often fail to indicate whether those arrested were ever charged or had charges dropped, or where the arrest was ultimately found to be in error.
- A February 2015 report prepared by the U.S. Government Accountability Office (GAO) concluded that, despite improvements, "there are still gaps" in the completeness of state criminal records databases used by authorized employers for FBI background checks. The report references a 2012 study by the Bureau of Justice Statistics (BJS) which found that "10 states reported that 50% or less of their arrest records had final dispositions."
- A 2013 report by the National Employment Law Project (NELP) found that "1.8 million workers a year are subject to FBI background checks that contain faulty or incomplete information."

The issue of unfairly flagging an innocent person is a particular issue for minorities.

- For example, the Black Organizing Project, an Oakland, California-based nonprofit, found that between 2006 and 2012 black young men made up almost 75% of all juvenile arrests—even though they made up less than 30% of the city's under-18 population. Of those arrested, nearly 80% were not prosecuted, but would have records in the FBI database that would be

returned in a Live Scan criminal background check, preventing them from earning a living.

- As the San Francisco Chronicle pointed out earlier this year, “The Greenlining Institute, a Berkeley nonprofit that advocates on behalf of minority and low-income people, said the Livescan system would disproportionately burden people of color, who are often targeted by law enforcement” for arrest but not actually convicted.

The background check rules for limousine companies (transportation charter party or TCP license holders) operating in California are different from both taxis and companies like Uber. **The CPUC does not require criminal background checks for drivers who obtain a TCP license for traditional black car transportation services.**

Uber sees this limitation first hand when TCP drivers and license holders apply to use Uber and are checked by Accurate or Checkr. Of the TCP drivers who applied to use UberBLACK and underwent criminal background checks in 2014, over 475 failed our criminal background check and were disqualified from using the platform. Their records included convictions for soliciting murder (one potential driver), attempted murder (one potential driver), sex offense or rape (14 potential drivers), DUIs (37 potential drivers), child endangerment or abuse (nine potential drivers), and assault or battery (68 potential drivers).

Of course, the background check system that Uber and other TNCs use is not 100% accurate either. For example, a potential driver may have a stolen or fraudulent identity, an illegally obtained but valid social security number that conceals his or her true identity, or he or she may have been convicted of a crime outside the background lookback limits permitted by state law. These laws are designed to give people the chance to rehabilitate themselves. There is no such lookback limit for Live Scan.

In California, for example, there is a seven year lookback limit for companies like Accurate and Checkr. In addition, there are rules that limit the availability of specific records. Not all sex offenders will appear on the California Department of Justice (DOJ)'s sex offender registry because some have, by law, been kept off. This may be because the individual concerned has successfully petitioned the State Attorney General to have his/her name removed. (3)

There are also records that would be helpful but are very difficult to obtain. For example records that indicate discharge from jail or prison as well as discharge from parole, or placement on probation. These records may not be linked to the original courthouse records associated with that particular individual. So in many cases a background check will not return this type of information.

These kinds of issues have been raised directly with Uber by law enforcement officials in California. Law enforcement discovered a number of people with criminal records on our platform, including two sex offenders who are not on the California Department of Justice's list of registered sex offenders, (4) as well as someone with a conviction for murder dating back over thirty years. We understand that there are strongly held views about the rehabilitation of offenders. But the California State Legislature decided—after a healthy debate—that seven years strikes the right balance between protecting the public while also giving ex-offenders the chance to work and rehabilitate themselves. Indeed, Governor Brown has approved legislation in the last two years, including SB 530 and AB218, because the Legislature concluded “that reducing barriers to employment for people who have previously offended, and decreasing unemployment in communities with concentrated numbers of people who have previously offended, are matters of statewide concern.”

To conclude, every system of background checks that is available today has its flaws. But we believe that the procedures used by Uber and other TNCs stack up well against the alternatives in terms of safety—while not disadvantaging people who may have been arrested but never charged.

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(1) AS OF JULY 1, 2015.

(2) THESE POTENTIAL DRIVERS EITHER SELF-IDENTIFIED AS CURRENT OR FORMER TAXI DRIVERS OR ARE AMONG THE COHORT OF TAXI DRIVERS IN SAN FRANCISCO WITH WHOM UBER CONTRACTS.

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(4) AS MADE AVAILABLE AT [HTTP://WWW.MEGANSLAW.CA.GOV/](http://www.meganslaw.ca.gov/).



LOS ANGELES AREA  
CHAMBER OF COMMERCE



July 16, 2015

Mr. Sean O. Burton  
President  
Board of Airport Commissioners  
Los Angeles World Airports  
1 World Way  
Los Angeles, CA 90045

**RE: Support for TNC pickups at LAX**

Dear Commission President Burton:

On behalf of the business community in Los Angeles, we are pleased that the Board of Airport Commissioners (BOAC) is considering a Non-Exclusive License Agreement (NELA) that will allow Transportation Network Companies (TNCs) to pick up passengers at the Los Angeles International Airport (LAX).

We would like to take this opportunity to thank BOAC and Mayor Garcetti for their leadership and for taking steps to move a NELA forward.

Bringing ridesharing to LAX is a positive step forward for Los Angeles, and will send the message that LAX is a world-class gateway for commerce and business and leisure travelers. LAWA has taken great strides to modernize LAX and create a better airport experience for travelers. Allowing TNCs to pick up at LAX is another example of LAWA's progressive thinking that will enhance the airport experience by making it easier for Angelenos and visitors to get to and from the airport.

As the leading voices in our region's business community, we are committed to the economic growth of the Los Angeles region. There is no better way to support our economy than by creating new jobs, increasing revenue and easing travel through our busiest transportation hubs. By giving consumers what they want – safe, convenient, affordable and real-time ridesharing options – LAWA is creating a better

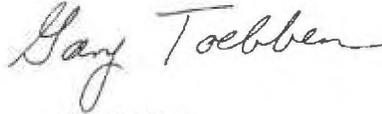
airport experience that will attract more travelers, thereby increasing revenue such as Transient Occupancy and Sales Taxes.

We strongly encourage you to approve a NELA that allows TNCs to begin operations at LAX.

Sincerely,



Carol E. Schatz  
President & CEO  
Central City Association  
Association



Gary Iobben  
President & CEO  
LA Area Chamber of Commerce



Stuart Waldman  
President  
Valley Industry & Commerce



Leron Gubler  
President & CEO  
Hollywood Chamber of Commerce



Andy Perez  
VP Communications  
Regional Hispanic Chamber of Commerce

cc: Hon. Mike Bonin  
Com. Sean Burton  
Com. Valeria C. Velasco  
Com. Gabriel L. Eshaghian  
Com. Jackie Goldberg  
Com. Beatrice C. Hsu  
Com. Matthew M. Johnson  
Com. Cynthia A. Telles  
Deborah Flint  
Stephen Martin  
Mark Adams  
Felipe Cusnir  
Manav Kumar