



TAXICAB, LIMOUSINE &  
PARATRANSIT ASSOCIATION

Representing taxicab, limousine, sedan, airport  
shuttle, paratransit, Medicaid & non-emergency  
medical fleets worldwide.

STATEMENT FOR THE RECORD  
OF THE  
TAXICAB, LIMOUSINE & PARATRANSIT ASSOCIATION  
BEFORE  
THE UNITED STATES SENATE  
HEALTH, EDUCATION, LABOR & PENSIONS COMMITTEE  
ON THE ISSUE OF  
*COMBATING CAMPUS SEXUAL ASSAULT*

WEDNESDAY, JULY 29, 2015

Chairman Alexander, Ranking Member Murray and members of the Committee, my name is Mike Fogarty and I am President and CEO of American operations for the limousine company Tristar Worldwide Chauffeur Services, as well as the current President of the Taxicab, Limousine & Paratransit Association.

I applaud you for holding this important hearing today. On behalf of our over 1,100 transportation operators around the country, our association is concerned that recent developments in the for-hire vehicle industry will make the problem of sexual assaults on college campuses worse, not better.

In the past 18 months alone there have been:

- 24 alleged sexual assaults and harassments in Uber or Lyft vehicles.
- 16 alleged physical assaults by drivers.
- And six alleged kidnappings.

Ladies and gentlemen, this is an epidemic.

Among the various incidents which have occurred:

- A University of Southern California student was allegedly raped by an Uber driver.<sup>1</sup>
- A University of Michigan student reported an Uber driver ‘demanded money or sex act’<sup>2</sup>
- And at Quinnipiac University in Connecticut. Two men allegedly attempted to sexually assault a student. Incidentally, Quinnipiac has banned Uber and Lyft on campus.<sup>3</sup>

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<sup>1</sup> <http://www.laweekly.com/news/usc-student-says-she-was-raped-by-an-uber-driver-5530844>

<sup>2</sup> <http://www.washingtonpost.com/news/morning-mix/wp/2015/04/03/college-student-reports-uber-driver-demanded-money-or-a-sex-act/>

<sup>3</sup> <http://www.qchronicle.com/2015/04/student-assaulted-in-presumed-uber-taxi/>

For-hire transportation companies Uber and Lyft are very popular with college students. These companies offer cheaper transportation at the touch of a button. With more and more students using for-hire transportation services as their primary modes of transportation, it is critical for Congress to take a hard look at these companies that are driving our kids around.

We aren't advocating for federal intervention, but instead that Congress urge the safest possible industry practices for screening all for-hire vehicle drivers.

Uber and Lyft target students with cheaper transportation because they underinvest in essential safety components—one being fingerprint-based criminal background checks conducted by law enforcement including a search of the FBI's national database.

In most major cities in the United States, taxicab drivers are required to pass fingerprint-based criminal background checks conducted by state or local authorities. When a Live Scan fingerprint check is used, it can cost an applicant between \$60-\$90 dollars. The scan crosschecks through official Department of Justice and FBI databases.

In contrast, for-hire vehicle companies Uber and Lyft use private company background check on applicant names and social security numbers. Time and time again, felons have been proven to be behind the wheel of Uber and Lyft vehicles owing to these inferior checks.

How inadequate are the background checks done by Uber and Lyft? A recent peer-reviewed study by a team of law enforcement experts, "One Standard for All," found that name-based background checks are 43 times more likely to have errors than fingerprint-based checks.<sup>4</sup>

Conducting thorough criminal background checks on drivers who transport passengers is crucial to keeping passengers safe. Passengers are frequently alone with these drivers in their vehicle, and being exhausted, inebriated or traveling in a strange city makes them even further vulnerable.

Uber's and Lyft's unsafe background checks have not gone unnoticed. Los Angeles and San Francisco are suing Uber, stating the company's claims to keep passengers safe through their background checks are false and misleading.

Fingerprint-based checks are used to definitively identify that applicants are who they claim to be. But Uber's entire application process, including its background checks, is conducted online. Drivers do not appear in person, and are not fingerprinted. Intentionally or not, this anonymity positions Uber as a magnet for predators.

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<sup>4</sup> <http://www.utrc2.org/sites/default/files/pubs/Background%20Check%20Report.pdf>

We believe that Uber's markedly lackadaisical approach to vetting drivers encourages individuals who would wish to avoid law enforcement to sign up—drivers such as Alejandro Done in Boston who now stands accused of a string of infamous sexual assaults.<sup>5</sup>

Meanwhile, the City of Houston conducted a fingerprint-based criminal background check on an Uber driver approved by the company's private screening company, Hirease, who turned out to have 24 alias names, five listed birth dates, 10 listed social security numbers and an active warrant for arrest.<sup>6</sup>

Even Hirease itself—the company Uber pays to run name-based checks on its drivers—acknowledges that fingerprint-based criminal background checks are more secure because “fingerprinting helps uncover criminal history not discovered through traditional methods, offers extra protection to aid in meeting industry guidelines, and helps prevent fraud.”<sup>7</sup>

This is why the Taxicab, Limousine & Paratransit Association supports fingerprint-based criminal background checks conducted on all drivers of for-hire vehicles; taxicabs, limousines, Uber and Lyft.

Nationally, a number of organizations and Members of Congress have called for fingerprint-based criminal background checks. These organizations include the Boston Chapter of the National Organization for Women, the National Coalition Against Domestic Violence and the National Women's Coalition Against Violence & Exploitation.

We urge you—as elected leaders representing states with numerous colleges and universities—to encourage states and cities to adopt fingerprint-based criminal background checks for all drivers of for-hire vehicles, including Uber and Lyft.

Implementing this simple, commonsense approach would help reduce the epidemic of sexual violence among college students today.

The Taxicab, Limousine & Paratransit Association is prepared to work with you on this very important issue. Thank you for the opportunity to submit these comments.

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<sup>5</sup> <https://www.bostonglobe.com/metro/2015/07/14/authorities-provide-update-probe-rapes-esplanade/XxmC2reWQo8hTdTjAeydNP/story.html>

<sup>6</sup> [http://www.whosdrivingyou.org/wp-content/uploads/2015/05/4.7.2015\\_updated\\_city\\_of\\_houston\\_complete\\_background\\_check\\_handout\\_-\\_dif...\\_1\\_1.pdf](http://www.whosdrivingyou.org/wp-content/uploads/2015/05/4.7.2015_updated_city_of_houston_complete_background_check_handout_-_dif..._1_1.pdf)

<sup>7</sup> <http://www.hirease.com/fingerprinting/>