

## **Massachusetts Gives Green Light for Uber Technologies**

Massachusetts state law requires the Division of Standards to approve any commercial measuring devices. That means making sure a gallon of gas is really a gallon or a pound of produce is really a pound. We do not have the capability to test every type of device at the state level and so for more complex devices, such as the meters used in taxi cabs, we rely on national standard setting organizations to certify specific types of meters or devices.

Recently, the Division of Standards informed Uber that the device they use to calculate fare and distance needs to be certified by a national standard setting organization and, until that process began, the device could not be used in Massachusetts. The Division has since learned that this type of technology is currently under review for the development of standards by the National Institute of Standards and Technology. Because of this, the Division will issue an operating certificate to Uber. Therefore, Uber is currently not out of compliance with state law and free to continue operating.

We apologize for any confusion or inconvenience. Massachusetts is a leader in innovation and we applaud Uber's innovative spirit and welcome their competition into the commercial passenger transportation market.



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**RE: Modified Hearing Decision Civil Citation N. 4576 Issued By City of Cambridge**

On August 1, 2012, the Division of Standards (“Division”) issued Uber Technology, Inc. (“Uber”) an order upholding Civil Citation 4576 imposed by the City of Cambridge “for using a measuring device not conforming to standards”, and requiring Uber to discontinue use of such measuring device “until such time as the standards for its use are established by the NCWM and published in NIST Handbook 44.”

On August 15, 2012, the Division became aware of a current examination by the National Institute of Standards and Technology (“NIST”), in collaboration with the National Conference on Weights and Measures (“NCWM”), to determine whether NIST Handbook 44, and its relevant Taximeter code, should be amended to address new systems equipped with associated equipment such as point of sale, global positioning systems, and mobile data terminals. This information was not supplied prior to or during the hearing, and was therefore not part of the administrative record. The Division has historically allowed for provisional type approval of unapproved devices pending the results of an ongoing study undertaken by NIST and/or NCWM. Based on the foregoing, the August 1, 2012 order is hereby **MODIFIED** as follows:

This hearing officer now concludes that based on the current examination of relevant amendments to Handbook 44 by NIST and NCWM, Uber may continue to use its global positioning system to assess transportation charges, provided that Uber files an application with the Division, within a reasonable period of time, for provisional type approval pending the outcome of the NIST study and/or the establishment of any standards for the use of such systems.

Accordingly, Civil Citation No. 4576 is hereby **VACATED**.

SO ORDERED

Charles H. Carroll  
Director of Standards

Cc/ Elizabeth A. Lashman, Esq., City of Cambridge