

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

TO: Service List in TNC Rulemaking, D.P.U. 26-90

FROM: Zachary J. Caunter, Hearing Officer

RE: Upcoming Technical Conferences

DATE: September 25, 2026

CC: Peter A. Ray, Secretary

On April 24, 2026, the Department of Public Utilities (“Department”) issued an Order opening a rulemaking to amend the Transportation Network Companies (“TNC”) regulations (“Order”).¹ The Order established two public hearings and solicited public comments on the proposed regulations, which were held on June 8, 2026 and June 11, 2026. Additionally, the Department held a technical conference on June 22, 2026, focusing on TNC electrification requirements.² The Department appreciates the many stakeholders and commenters who attended the public hearings and the June 22 technical conference.

¹ Investigation by the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to the G.L. c. 30A, § 2; G.L. c. 25, § 2; and 220 CMR 2.00 to amend the Transportation Network Companies regulations at 220 CMR 274.00, and to promulgate Suitability Standards for Transportation Network Drivers at 220 CMR 275.00, Transportation Network Company Practice and Procedures at 220 CMR 276.00, and Transportation Network Vehicle Electrification at 220 CMR 277.00. D.P.U. 26-90.

² In general, at a Department technical conference, stakeholders may discuss technical, implementation, data, or other issues; and notices for such conferences indicate that the discussion will be informal and not recorded, thus information shared is not be part of the record that the Department uses to make a final decision. A public hearing, by contrast, is a formal opportunity for public comment in a Department proceeding with the content recorded in a transcript, held when required by statute or regulation, or at the

The purpose of this memorandum is to inform all interested stakeholders of the Department's next steps and announce two additional technical conferences. One technical conference will focus on continued stakeholder discussion on TNC electrification requirements; the second will focus on rideshare driver onboarding and suitability. These technical conferences are scheduled for Friday, October 23, 2026 and Tuesday, December 8, 2026 respectively.

Furthermore, the Department received public comments noting that since opening D.P.U. 26-90 on April 24, 2026: (1) the Massachusetts Department of Labor Relations certified the App Drivers Union ("ADU") as the exclusive union for an industry-wide bargaining unit of drivers who drive for TNCs in Massachusetts; and (2) that there are ongoing negotiations between ADU and the TNCs. The Department recognizes that some issues addressed through our rulemaking may abut mandatory topics of negotiation as described by G.L. c. 150F, § 6A, particularly concerning a TNC's internal process of deactivating rideshare drivers and dispute resolution procedures for resolving claims alleging unjust deactivation. The Department will closely follow the collective bargaining process and will provide an opportunity for the ADU and TNCs to provide the Department with information about the collective bargaining outcome at the end of the 180-day period referenced in G.L. c. 150F, § 6C. The Department encourages continued discussion of the progress of the bargaining at the technical conferences. The Department is interested in ways to align our regulations with any agreement reached between the ADU and TNCs, while ensuring safety and preserving public trust in the Department's oversight of TNCs.

October 23, 2026 Technical Conference: Transportation Electrification and Fees

The Department will convene an in-person technical conference at our offices starting at 10:00 a.m. at One South Station, 3rd Floor Hearing Room, Boston, MA 02110. A technical conference is a gathering of stakeholders facilitated by the Department, which will involve Department questions to stakeholders and an opportunity for discussion. The technical conference will not be recorded and there will not be a court reporter or transcript.

The Department requests that any stakeholders seeking to provide a presentation regarding transportation electrification during the technical conference should notify the Department no later than the close of business on October 15, 2026 for the October 23, 2026 technical conference by emailing Hearing Officer Zachary Caunter at Zachary.Caunter@mass.gov. Stakeholders are welcome to participate in the technical conference by offering verbal comments and questions related to technical issues separate from a presentation and they are not required to provide advance notice.

Department's discretion. G.L. c. 30A, § 2 (requiring public hearings in certain rulemaking proceedings); 220 CMR 2.00.

Below is the agenda for the Technical Conference on October 23, 2026:

1. Opening Remarks
2. Transportation Electrification Discussion
 - a. Presentations by Stakeholders (if applicable)
 - b. Discussion of Electrification Targets
 - c. TNC Biennial Plans and Annual Reports
3. Discuss Added TNC Fees (TNC Permit Application Fee/Background Check Fee)
4. Discuss Agenda for Next Technical Conference
5. Closing Remarks and Next Steps

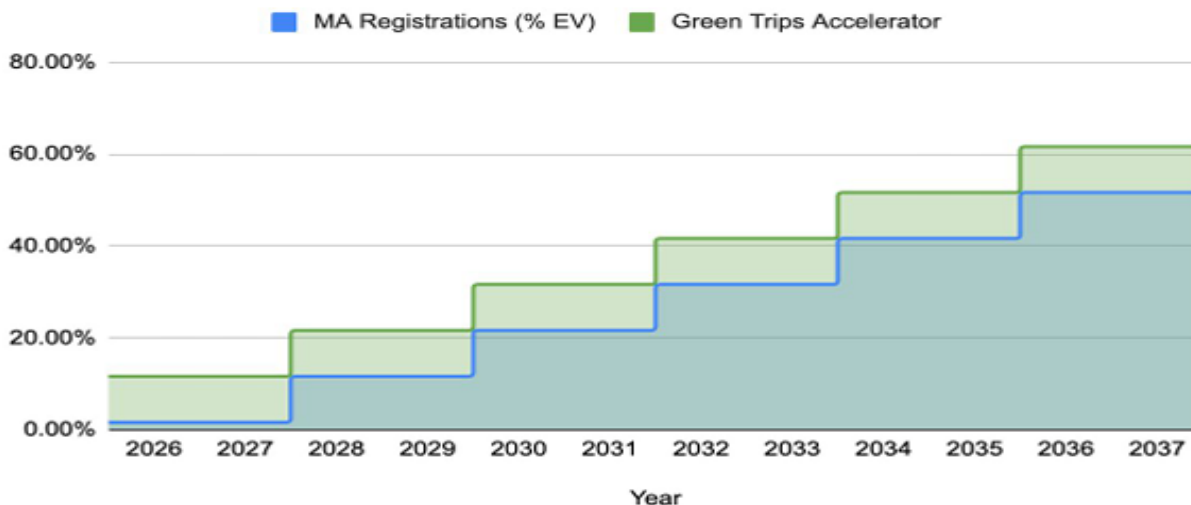
The Department intends to have a mid-morning break, a break for lunch around 1:00 p.m., and a mid-afternoon break. The technical conference will conclude no later than 5:00 p.m. and will end earlier if we get through the agenda in less time.

At the June 22, 2026 technical conference, Uber Technologies Inc. presented a proposal to comply with the TNC greenhouse gas (“GHG”) emissions reductions requirements of G.L. c. 159A½, § 13. In summary, Uber proposes a formula that it calls the Green Trips Formula, which combined with its Green Trips Accelerator, is “intended to track electrification progress and GHG emissions reduction.”³ The Green Trips Formula calculates the total number of “green trips” (i.e., those not performed by an Internal Combustion Engine vehicle alone) as a percentage of total trips performed on the TNC’s platform annually. The result of this formula is to be compared against a benchmark set by the Division but indexed against electric vehicle adoption rates among drivers in Massachusetts.

$$\text{Green Trips Formula:} \quad \frac{EV + WAV + Hybrid + Shared Rides Trips}{Total Platform Trips}$$

³ Uber Reply Comments at 43.

Green Trips Accelerator (Projection)



The Department welcomes stakeholder discussion during the October 23 technical conference on Uber’s proposal, specifically on the following:

1. The Green Trips Formula weighs trips involving electric vehicles, wheelchair accessible vehicles (“WAV”), hybrid vehicles, and “shared rides”.
 - a. Should the Department consider weighing each of these trip types equally (i.e., should a trip completed with a hybrid vehicle count the same as a trip completed by an electric vehicle)?
 - b. If hybrid vehicles are included in any formulation, how should the Department consider the different hybrid systems, such as plug-in hybrid vehicles, “full” or “strong” hybrid systems, or “mild” hybrid systems?⁴
2. Uber’s proposal suggests a Green Trips target indexed to the general adoption of electric vehicles in Massachusetts plus an “accelerator” set by the Division proposed to be 10 percent, which is to be reevaluated every two years. Would 10 percent above general adoption of electric vehicles in Massachusetts meaningfully reduce GHG emissions as required by G.L. c. 159A½, § 13? Should the Department consider other targets or benchmarks?

⁴ U.S. Department of Energy Alternative Fuels Data Center Hybrid Electric Vehicle types: <https://afdc.energy.gov/vehicles/electric>

3. If the Department approves a version of the Green Trips Formula/Accelerator, what corrective action, if any, should the Division take should a TNC fail to meet its Green Trips benchmark by the target date?
4. Proposed Regulation 220 CMR 274.12(2) includes the collection of trip data points for the purpose of traffic planning, congestion management, and GHG emissions reductions. Are there other points of trip data which should be collected to further these goals?

December 8, 2026 Technical Conference: Bargaining Update, Driver Suitability, Driver Deactivation Reporting

The Department will convene an in-person technical conference at our offices starting at 10:00 a.m. at One South Station, 3rd Floor Hearing Room, Boston, MA 02110. The technical conference will not be recorded and there will not be a court reporter or transcript.

The Department requests that any stakeholders seeking to provide a presentation regarding transportation electrification during the technical conference should notify the Department no later than the close of business on December 1, 2026 for the December 8, 2026 technical conference by emailing Hearing Officer Zachary Caunter at Zachary.Caunter@mass.gov. Stakeholders are welcome to participate in the technical conference by offering verbal comments and questions related to technical issues separate from a presentation and they are not required to provide advance notice.

Below is the agenda for the Technical Conference on December 8, 2026:

1. Opening Remarks
2. Status of Bargaining
3. Driver Suitability Items
 - a. Presentations by Stakeholders (if applicable)
 - b. Discussion of Updates to Driver Onboarding Requirements, Including Data Collection and Driver Training
4. Driver Deactivation Reporting and Internal TNC Appeal Minimum Standards
5. Closing Remarks and Next Steps

The Department intends to have a mid-morning break, a break for lunch around 1:00 p.m., and a mid-afternoon break. The technical conference will conclude no later than 5:00 p.m. and will end earlier if we get through the agenda in less time.

The Department welcomes stakeholder feedback on the following topics related to Driver suitability:

1. Should the Department set minimum standards related to information that a TNC must provide to a Driver subject to internal TNC deactivations, such as those proposed at 220 CMR 276.05?
2. In an effort to combat rideshare driver account creation fraud, should the Department require all Drivers to possess a REAL ID compliant driver's license? Should the Department require the collection other forms of identification to prove identity of Drivers at initial onboarding?
3. Proposed Regulation 220 CMR 274.06(2)(a) requires a TNC to conduct a criminal and driving history background check within each state the Driver has resided in the preceding seven years. How can a TNC reliably collect the information necessary to conduct these background checks?

We are not accepting written comments at this time. The Department will announce a future time for written comments after the October 23 and December 8 technical conferences.

/s/Zachary Caunter

Zachary J. Caunter
Hearing Officer