



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 721		DATE: 3/6/2023	
COMMITTEE: Judiciary			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JOE MESSINA		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME: UBER TECHNOLOGIES		TITLE: DIRECTOR OF INSURANCE LITIGATION	
ADDRESS:			
CITY: NEW YORK		STATE: NY	ZIP: 10007
EMAIL: jmessina@uber.com	ATTENDANCE: In-Person	SUBMIT DATE: 3/3/2023 4:28 PM	
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Committee members, My name is Joe Messina, I'm the director of insurance law and legislation at Uber. On behalf of Uber Technologies, Inc., ("Uber") we appreciate the opportunity to provide public testimony on House Bill 721. HB 721 is a critical piece of legislation that will reduce the burden on the state's court system, make Missouri more business friendly, and keep the state's strict insurance regulations for rideshare companies intact. We strongly support the bill and hope you will as well. Under current law, Transportation Network Companies (TNCs), such as Uber, maintain automobile liability insurance policies that cover each TNC trip. Once a driver accepts a trip, these policies provide \$1 million in auto liability insurance coverage for drivers to help protect riders, pedestrians and other third parties. Accidents on our platform are exceedingly rare: 99.99% of trips are completed without any incident. In the rare case of an accident our existing coverage requirements--which are 20x of every other driver on Missouri roads-- are almost always enough to cover any injuries or damages. Despite that, Missouri has seen an increase in the number of cases that name TNCs as defendants, even when the damages sought are within the \$1 million liability insurance coverage. These lawsuits try to hold TNCs vicariously liable for the acts of the driver, even though the TNC has no alleged liability, in an attempt to try to access the TNC's corporate and excess insurance coverages, which would not otherwise apply. They cost TNCs millions of dollars a year, which is passed onto riders in the form of higher prices. The problem is particularly acute in Missouri. The state ranks in the top 25% of states in terms of litigation costs but is barely in the top 50% in terms of the number of trips. Most of these cases are dismissed eventually, but companies are forced to spend millions fighting them in court. For example, in a case that was dismissed recently, a driver on the Uber app was transporting a rider when they were rear ended by another vehicle. Despite Uber not being at fault, and the passengers minor injuries being covered by our existing insurance policies, the Plaintiff named Uber as a defendant dragging out the court case for almost a year until the plaintiff voluntarily dismissed. There are dozens more ongoing cases just like this. The result is Missouri courts are inundated with cases unlikely to prevail in a state which has one of the worst case backlogs in the country. This legislation, which was passed in Florida in virtually identical form, addresses excessive costs and litigation. It helped reduce frivolous lawsuits in Florida by more than 20%. Individuals could still sue TNCs, they would just need to show the TNC was at fault in order to access the TNC's corporate insurance. As mentioned, this legislation is not novel or unique. Aside from the virtually identical Florida law, the federal government also passed a similar law for rental car companies known as the "Graves Amendment," named for Representative Sam Graves whose district is just a stone's throw from here. Under the Graves Amendment, rental car companies can't be held vicariously liable for accidents just because they happen in their vehicles. While we expect to see a reduction in the number

of meritless cases, riders and drivers will still be able to add TNCs to lawsuits. We continue to see that happen in Florida even after the passage of a nearly identical law. However, based on what we've seen elsewhere, this law can reduce the burden on the court system, lower costs for companies and customers while ensuring riders and drivers remain protected. I look forward to answering your questions.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL HENDERSON		PHONE NUMBER: 573-893-4241	
REPRESENTING: MISSOURI INSURANCE COALITION		TITLE:	
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EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/6/2023 12:00 AM	
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REGISTERED LOBBYIST:			
WITNESS NAME: RICH AUBUCHON		PHONE NUMBER: 573-616-1845	
REPRESENTING: MO CIVIL JUSTICE REFORM COALITION, & AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION		TITLE:	
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CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
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I am Opposed to this Bill and Shielding Responsibility, Accountability and Liability. This is a bad Bill.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: TED RUZICKA		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
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CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 3/6/2023 12:00 AM
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