**Mississippi Secretary of State**
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

## ADMINISTRATIVE PROCEDURES NOTICE FILING

| AGENCY NAME | | CONTACT PERSON | TELEPHONE NUMBER | |
|---|---|---|---|---|
| Mississippi Insurance Department | | Mark Lampton, Spec. Asst. Att. Gen. | (601)359-2780 | |
| ADDRESS | | CITY | STATE | ZIP |
| P.O. Box 79 | | Jackson | MS | 39205 |
| EMAIL | SUBMIT DATE | Name or number of rule(s): | | |
| mark.lampton@mid.ms.gov | 07/18/16 | Miss. Admin. Code, Title 19, Part 9, Chapter 1 (Transportation Network Company Law) | | |

**Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal:** The purpose of these rules is to provide consistent regulation of Transportation Network Companies and the procedural regulatory details relative to implementation of Mississippi House Bill No. 1381, 2016 Regular Legislative Session.
**Specific legal authority authorizing the promulgation of rule:** Mississippi House Bill 1381, 2016 Regular Legislative Session.
**List all rules repealed, amended, or suspended by the proposed rule**: Not Applicable.

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

| TEMPORARY RULES | PROPOSED ACTION ON RULES | FINAL ACTION ON RULES |
|---|---|---|
| _____ Original filing | **Action proposed:** | **Date Proposed Rule Filed:** _____ |
| _____ Renewal of effectiveness | __X__ New rule(s) | **Action taken:** |
| To be in effect in _____ days | _____ Amendment to existing rule(s) | _____ Adopted with no changes in text |
| Effective date: | _____ Repeal of existing rule(s) | _____ Adopted with changes |
| _____ Immediately upon filing | _____ Adoption by reference | _____ Adopted by reference |
| _____ Other (specify): _____ | **Proposed final effective date:** | _____ Withdrawn |
| | _____ 30 days after filing | _____ Repeal adopted as proposed |
| | __X__ Other (specify): October 1, 2016 | **Effective date:** |
| | | _____ 30 days after filing |
| | | _____ Other (specify): _____ |

Printed name and Title of person authorized to file rules: Mark Lampton, Spec. Asst. Att. Gen.
Signature of person authorized to file rules: _____

| OFFICIAL FILING STAMP | DO NOT WRITE BELOW THIS LINE<br>OFFICIAL FILING STAMP | OFFICIAL FILING STAMP |
|---|---|---|
| **Accepted for filing by** | **Accepted for filing by** | **Accepted for filing by** |

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

DELBERT HOSEMANN
*Secretary of State*

# CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

**An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.**

| AGENCY NAME | CONTACT PERSON | | TELEPHONE NUMBER |
|---|---|---|---|
| Mississippi Insurance Department | Mark Lampton, Spec. Asst. Att. Gen. | | (601)359-2780 |
| ADDRESS<br>P.O. Box 79 | CITY<br>Jackson | STATE<br>MS | ZIP<br>39205 |
| EMAIL<br>mark.lampton@mid.ms.gov | DESCRIPTIVE TITLE OF PROPOSED RULE<br>Miss. Admin. Code, Title 19, Part 9, Chapter 1 (Transportation Network Company Law) | | |

| Specific Legal Authority Authorizing the promulgation of Rule: | Reference to Rules repealed, amended or suspended by the Proposed Rule: |
|---|---|
| Miss. House Bill No. 1381, 2016 Regular Leg. Session | Not Applicable |

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: Transportation Network Companies will benefit from the consistent regulation of their business throughout the State of Mississippi, rather than facing a patchwork of differing regulations in various political subdivisions. Consumers will benefit from the regulatory oversight in requiring the safe and responsible operation of Transportation Network Companies in Mississippi, and from ensuring that drivers and companies are adequately insured to provide consumers with a means to recoup losses or damages incurred.

2. Briefly describe the need for the proposed rule: Miss. House Bill 1381, 2016 Legislative Session, placed regulation of Transportation Network Companies under the oversight of the Mississippi Insurance Department. These rules establish and clarify the method and procedures for such regulation.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare: The rules promote the safe and responsible operation of Transportation Network Companies in Mississippi with respect to their dealings with the public, and ensure that drivers and companies are adequately insured to provide consumers with a means to recoup losses or damages incurred.

4. Estimated Cost of implementing proposed action:
   a. To the agency
      ☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   b. To other state or local government entities
      ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
   c. Cost:
      ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   d. Economic Benefit:
      ☐ Nothing ☐ Minimal ☐ Moderate ☒ Substantial ☐ Excessive

6. Estimated impact on small businesses:
   ☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

   a. Estimate of the number of small businesses subject to the proposed regulation:
      The estimated number of Transportation Network Companies anticipated to operate within Mississippi is four (4).

   b. Projected costs for small businesses to comply:
      No additional costs are imposed on Transportation Network Companies beyond the licensing fee or other costs already imposed by Miss. HB 1381, 2016 Legislative Session.

   c. Statement of probable effect on impacted small businesses:
      The most probable effect of the regulation would be that Transportation Network Companies will understand the method and procedures to be used by the Mississippi Insurance Department in enforcing the requirements of Miss. HB 1381, 2016 Legislative Session.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☐ minimally less than
   ☒ the same as ☐ minimally more than ☐ moderately more than
   ☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☐ minimally less than
   ☐ the same as ☐ minimally more than ☒ moderately more than
   ☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
   ☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form: It is assumed that Transportation Network Companies will benefit through understanding the method and procedures to be used by the Mississippi Insurance Department in its regulatory process. No additional costs were placed on any person or entity beyond those costs already imposed through Miss. HB 1381, 2016 Legislative Session.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? A person may send comments, suggestions, and a request for an oral proceeding to:

Mississippi Insurance Dept.
Attn: Mark Lampton, Special Asst. Att. Gen.
P.O. Box 79
Jackson, MS 39205-0079
or via email at: mark.lampton@mid.ms.gov

| SIGNATURE | TITLE<br>Special Assistant Attorney General |
|---|---|
| DATE<br>July 18, 2016 | PROPOSED EFFECTIVE DATE OF RULE<br>October 1, 2016 |