

May 31, 2020

Assembly Member Lorena Gonzalez, Chair
Assembly Appropriations Committee
California State Assembly
Sacramento, CA

OPPOSE AB 3116 (Irwin) – Mobility Devices Data

Dear Chairwoman Gonzalez:

The Disability Rights Education & Defense Fund is writing in opposition to AB 3116. DREDF is a national law and policy center, based in Berkeley, working toward policy that protects people with disabilities from discrimination, including safety risks and denials of service. AB 3116 is antithetical to disability civil rights.

AB 3116 (Irwin) would limit local and state public agencies' ability to collect mobility device data on scooters, bikeshares, Transportation Network Companies (TNCs) such as Uber and Lyft, and self-driving cars by defining mobility device information as "electronic device information" that would be available only by warrant or subpoena.

It appears to DREDF that overall, this bill provides a way for companies to avoid sharing any data, because they are worried about potentially exposing what they perceive as trade secrets or information about their market share. Yet this information is critical to the public safety for people with disabilities and other vulnerable constituencies.

We must ask why this bill is even moving now, given the on-going COVID-19 pandemic. Though claimed to protect privacy concerns, the bill only governs mobility device data, rather than any personal information—and thus, is totally unrelated to COVID contact tracing, despite the claims.

Until now, this information been collected by many local and state agencies. They use it to develop regulations for accessibility and safety. The disability community that DREDF represents has a direct stake in the safety of streets, sidewalks, and roadways that we fear could be very negatively impacted. Obstacles such as discarded scooters blocking blind peoples' safe progress down the sidewalk, and TNCs such as Uber and Lyft cancelling wheelchair users' ride requests, could result from AB 3116.

This is an issue already being worked on in the Assembly for the last year and a half by a robust group of stakeholders in the context of AB 1112 (Friedman). But there has been virtually no stakeholder engagement on AB 3116, which was only introduced two weeks before its first hearing, a significant concern. And DREDF is surprised that the bill won't be heard by the Assembly Transportation Committee.

The bill could upend progress being made on a subject dear to DREDF's heart: SB 1376 (Hill), the TNC Access for All Act, which passed in 2018 to provide on-demand

Assembly Member Lorena Gonzalez

May 30, 2020

Page 2 of 2

wheelchair-accessible transportation similar to service by Uber, Lyft, and other providers. The bill could override CPUC rulemaking on that law, sending us back to the drawing board. Worse still, the bill could make even less transparent the data needed for distributing funds under the TNC Access for All Act. It could also pose barriers to CARB's ability to access data for implementation of SB 1014 (Skinner) regarding the Clean Miles Standard, which requires TNCs to reduce greenhouse gas emissions.

Please oppose AB 3116!

A handwritten signature in black ink that reads "Marilyn Golden". The signature is fluid and cursive, with the first name "Marilyn" and the last name "Golden" clearly distinguishable.

Marilyn Golden

DREDF Senior Policy Analyst

<mailto:mgolden@dredf.org>

cc: All Committee Members