

Uber protests and legal actions

Uber Technologies Inc, an American international technology company. Uber B.V. (Besloten Vennootschap, is pretty similar to the English Limited Ltd) is owned by the Dutch company, Rasier Pacific V.O.F. (Vennootschap onder Firma) They are the subject of ongoing protests and legal action from taxi drivers, taxi companies, and governments around the world.

Uber is involved in at least 173 lawsuits.^[1] As of mid-2015, protests had been staged in Germany, Spain, France, and the United Kingdom, among other nations, and dangerous incidents involving passengers have been documented.^{[2][3]} Uber executives were arrested in France in June 2015. In December 2014, Uber was banned in Spain and in two cities in India. Uber continues to be involved in disputes with several governmental bodies, including local governments in the U.S. and Australia. Questions of employment law, consumer protection, unfair commercial practices, tax law, and insurance are common. Indeed, "it is impossible to foresee all the potential legal and regulatory issues involved when it comes to Uber".^[4]

Governments have been largely unable to stop Uber's operations in their jurisdictions because its operations are conducted primarily over the Internet. In addition, Uber is said to use aggressive tactics, such as bullying and hiring investigators to "dig up dirt" on journalists who criticize them.^[5] Portland, Oregon's transportation commissioner called Uber management "a bunch of thugs".^[6] A commissioner in Virginia who opposed Uber was flooded with emails and calls after Uber distributed his contact information to all of its users in the state.^[7]

1 Background

Uber is an app-based transportation network headquartered in San Francisco, California, which operates in cities in many countries. The company uses a smartphone application to receive ride requests and then sends these trip requests to their drivers.^{[8][9]}

2 Regulatory opposition

2.1 Australia

In May 2015, the Australian Taxation Office issued a directive stating that drivers that generate income through

ride-share is considered a business and advised those providing a ride-sharing service that they need to have an Australian Business Number and be registered for GST. Uber was quick to respond to ATO's directive and lodged documents to the Federal Court arguing that the public issue by the ATO "unfairly targets Uber's driver-partners".^{[10][11]} According to a source in the ATO, Uber was not enthusiastic about negotiating the GST subject, and therefore the ATO resorted to their most undesirable option which was to classify ride-share drivers as taxi drivers. This is despite the standard applied to other small Australian businesses, in which any business grossing less than \$75,000 is not required to collect and remit GST.

2.2 Uber in Australia legal status table

2.2.1 Australian Capital Territory

Uber secured an agreement with the government of the ACT, and commenced UberX ride-sharing on 30 October 2015 as stage one of a planned legal integration of ride-sharing with the existing taxi industry. Stage two will involve legislation introduced on 29 October and being debated and passed early in 2016. As the government holds a majority in the unicameral Legislative Assembly, this should proceed smoothly. UberX drivers must pass criminal record and driver history checks and their vehicles are checked to be registered, insured and roadworthy. In stage two, drivers will be subject to regular health checks and must pay additional licencing fees.^{[17][18]}

2.2.2 New South Wales and Norfolk Island

On April 30, 2014, Transport for New South Wales, the government authority regarding transportation in New South Wales, Australia, responded to the introduction of ridesharing function of Uber and clarified that "if a NSW driver is taking paying members of the public as passengers, the driver and the vehicle must operate in accordance with the *Passenger Transport Act*" and "Under the act, such services must be provided in a licensed taxi or hire car, by an appropriately accredited driver, authorised by Roads and Maritime Services (RMS)."^[19] In December 2014, the New South Wales government confirmed that they had conducted an unannounced search of the company's Sydney offices in April of that year for law enforcement purposes.^[20]

The New South Wales government created a taskforce to

look into Uber problem stating that the existing regulatory framework is “difficult to enforce”, and therefore not as effective as it could be. The taskforce also noted that ride sharing services “appear to meet the criteria of a public passenger service” under the 1990 Act. This is despite the fact Uber has reaffirmed that it is not a taxi service and should not have to operate under taxi regulation.^{[21][22]} On 17 December 2015, Uber was regulated in NSW with over \$200 million of compensation to taxi and hire car plate owners and operators.^[23]

Since July 1, 2016 all NSW laws also apply to the approximately 2,000 residents on *Norfolk Island*, under both the *Norfolk Island Legislation Amendment Act 2015* and the *Territories Legislation Amendment Act 2016* - because the *Norfolk Legislative Assembly* was abolished on July 1, 2015.^{[24][25][26]}

2.2.3 Western Australia

On December 18, 2015, the Western Australian Transport Minister *Dean Nalder* revealed sweeping regulatory changes to ridesharing services in the state. The reform will require ridesharing services to apply for an omnibus licence, similar to limousines and small charter vehicles. The announcement made clear that taxis would remain the only player in the rank and hail space. Mr. Nalder also insisted on security cameras for all taxis but not “omnibuses”, believing these should remain optional. Uber Perth City Lead Tom White said he was delighted the government was “welcoming ridesharing” and providing certainty for its drivers. “This forward-thinking decision will open up economic opportunity and choice to the people of WA,” he said. Taxi Industry Forum WA chairman Howard Lance said the changes were long overdue and would provide certainty but Uber compliance was paramount.^[27]

2.2.4 Northern Territory

As of September 2016, there is no regulation as of yet into the ride-sharing Uber company. The recently elected NT Labor government in its manifesto promises to legalise Uber.^[28]

2.2.5 Queensland

Queensland former premier *Campbell Newman* said, “We are a deregulation-minded government” at the end of May 2014, in regard to the Queensland government’s unwillingness to regulate Uber.^[29] The government sent a cease and desist letter to the company during the same month. Transport Minister *Scott Emerson* subsequently said that he “welcomed innovation in transport technologies”, but Uber “must meet the relevant transport legislation”. The Taxi Council Queensland (TCQ) supported the state government’s stance, while Jordan

Condo, Uber’s head of public policy for the Asia Pacific region, described the state’s regulations as “outdated”.^[30]

By mid-November 2014, the TCQ announced an anti-Uber media campaign, in which it warns Uber passengers that they are putting their lives at risk. In regard to the campaign’s slogan, “Don’t risk your life—Rideshare apps are unlawful, unsafe and uninsured,” TCQ chief executive Benjamin Wash said in a public statement: “Queensland taxi drivers undergo daily criminal checks, but rideshare drivers don’t. You simply don’t know who is behind the wheel.” Uber responded with information about its insurance policy, including a \$US5 million contingency liability insurance cover and “each partner driver’s own full insurance policies”. The TCQ also launched an online parliamentary petition to ensure that Uber remains illegal in Queensland, while Emerson said that, since August, the government had issued “more than [A]\$170,000 in fines to 62 [Uber] drivers”.^[31]

As of the 21st April 2016 fines for drivers have increased from \$1413 to \$2356 under the Katter’s Australian Party’s private member’s Bill.^[32]

In August 2016, the Queensland Government comes out in support of legalizing Uber.^[33] Since 5 September 2016 Uber is now officially legal in Queensland.^[34]

2.2.6 South Australia

From July 1, 2016 ride-sharing will be legalised in South Australia following a review which commenced in January 2015. As part of the reform package, compensation is being offered for those in the taxi industry, and a \$1 metropolitan ride levy will be introduced to fund the compensation. Taxis will continue to have the exclusive right to work at ranks or be hailed.^[35]

2.2.7 Tasmania

As of July 2016, the Tasmania government introduced a bill to allow Uber.^[36] The bill passed the lower house and is awaiting passage in the non-partisan Independents upper house. Amendments passed in an upper house committee stage with a starting date of 2018. The lower house is yet to pass the amendment.^[37]

2.2.8 Victoria

On May 6, 2014, the Taxi Service Commission in Victoria, Australia, issued a number of infringement notices to Uber drivers with a fine of A\$1,723, after a public warning discouraging people to use ridesharing applications like UberX.^[38] State officers said that they will review the state’s Transport Act, while Uber said it will reimburse drivers.^[29]

On the 4th of December, 2015, an Uber driver was found guilty of driving a hire car without license or registration;

this case is the first of twelve brought against Uber drivers by the Victorian Taxi Services Commission.^[39] On the 18th of May 2016 the judgement was overturned on appeal, effectively legalizing Uber in Victoria.^{[40][41]}

On August 25, 2016, the **Andrews Ministry** announced plans to fully legalize Uber in Victoria. Taxi licence holders are to be reimbursed through an 8-year A\$2 levy on all taxi and ride-booking services in the state.^[13]

2.3 Belgium

Uber was banned in Brussels, whereby the company will be fined €10,000 (US\$13,500) if it offers fares to drivers who are not in possession of a taxi license. Bruxelles-Mobilite, the city's federal region administration responsible for infrastructure and traffic, impounded 13 cars aligned with Uber after March 2014 and a spokesperson for the body described the service as "illegal" in June 2014. The spokesperson also said in a public statement that Bruxelles-Mobilite was generally addressing the issue of illegal taxi drivers in a sector that was difficult to regulate.^[42] Although already banned in the Belgian capital of Brussels, the company advertised for a Brussels-based "General Manager" on the *LinkedIn* website in June 2014. The advertisement stated that the role was "by far the most demanding position Uber has to offer."^[42]

In 2014, Brussels Mobility minister Pascal Smet announced the city authorities plan to create a legal framework by 2016 to allow for alternative taxi services such as Uber to exist in Brussels.^{[43][44][45]}

As for 2016, Uber operates UberX and UberBlack services in Brussels.

2.4 Brazil

On April 29, 2015, a Brazilian court banned Uber in response to complaints by a taxi drivers' union. The court additionally ordered **Apple Inc.**, **Google Inc.**, **Microsoft** and **Samsung Electronics** to prevent further installation and use of the app by Brazilian residents.^[46] A few weeks later, the order was revoked, allowing Uber to operate normally and the installation of the app by Brazilian residents, although still on a legal dispute in São Paulo and Rio de Janeiro.

In October 2015, the mayor of São Paulo, **Fernando Haddad**, passed a bill to allow for a new category of "black taxis" which would operate in parallel to the city's existing licensed taxis but only be bookable via mobile phone apps. Uber has not participated in this scheme, noting "that it is not a taxi company and therefore does not belong in any category of this type of service" and calling it "notoriously unconstitutional".^[47]

2.5 Bulgaria

In the beginning of October 2015, the Parliament of Bulgaria has ruled out, that only registered companies, that follow the taxi regulations are entitled to offer such kind of services. The changes to the Law for automotive transportation passed on first and second parliamentary polls. According to those changes taxi transportation is to be operated only and exclusively by companies, registered as taxi operators in accordance with the Bulgarian Law. The newly voted changes to the Law will now only allow drivers to operate taxi services, only if they are explicitly registered as legal transporters or officially appointed by a taxi company. The amendments are intended to stop the informal taxi services. It is not explicitly targeting Uber, but the company will not be able to continue to operate in the country, unless it registers as a taxi company.

2.6 Canada

Uber drivers in Canada are required "to register, collect and remit HST/GST from their fares to the government", regardless of their income.^[48]

A September 2012 article in *Business in Vancouver* reported a dispute with local regulators.^[49] On November 22, 2012, Uber announced it was exiting the "Secret Uber" stage in Vancouver and raising its rates to C\$75 per hour to comply with provincial regulations.^[50] As of December, Uber had not applied for a license from the city.^[51]

On December 5, 2012, officials with the **City of Toronto** charged Uber with 25 municipal licensing infractions, including operation of an unlicensed taxi brokerage and unlicensed limousine service.^[52] Municipal officials said they had advised the company to comply with local regulations; rival taxi dispatch apps had obtained licenses.^[53] Despite support from some quarters – including mayor **John Tory**^{[54][55]} – **Toronto Police** launched a crackdown on Uber drivers, and a court hearing is deciding if an injunction to prohibit the service is warranted.^{[54][55]} A Toronto city councillor has warned that passengers using UberX may be fined up to \$20,000.^[56] Finally, on March 3, 2016, the City Council of Toronto passed a bylaw allowing UberX to operate legally in the city (provided that they comply) while also cutting regulations for taxis, a decision that came after hours of heated debate.^[57]

Uber is also operating illegally in **Edmonton, Alberta**^[58] and **Calgary, Alberta**.^[59] City of Edmonton officials unveiled a proposed ride-sharing bylaw on September 9, 2015, which would permit Uber to operate legally in Edmonton. Uber opposed the bylaw change^[60] and stated the timeline for implementing the bylaw change is too hasty.^[61]

The **City of Calgary, Alberta** has charged at least 17 drivers illegally driving for Uber. These drivers are operating without legally mandated insurance, which does not

exist in Alberta.^[62]

Uber has been legalized in Edmonton on Wednesday, January 27, 2016, paving the way for legalizing the ride sharing app in other cities and provinces. The bylaw came into effect on March 1, 2016.^[63] Uber ceased operations in Edmonton on March 1, citing inability to obtain the necessary insurance.^[64] Uber continues to operate outside of Edmonton despite lack of insurance or proper licensing of their drivers.^[65]

In the province of Quebec, the government proposed Bill 100 which will regulate Uber drivers. On September 8, 2016, the government released the details of the deal. Under this deal, Uber drivers will have to undergo background checks, have their vehicle inspected, drive for limited hours, and acquire a special class of driver's license reserved for taxi drivers. Even with all these restrictions, the Quebec taxi industry is still protesting the presence of Uber in the province.^[66]

2.7 China

In December 2014, in Chongqing, a city in west China, police raided a training session organised by Uber which was attended by more than 20 drivers. In April 2015, Chinese authorities raided the offices of Uber in Guangzhou, Guangdong.^[67]

On May 6, 2015, local police raided the offices of Uber in Chengdu, in Sichuan province.^[68]

2.8 Croatia

Before the service arrived in the country, the Croatian ORaH party, together with the major taxi service companies were against it, stating that the price of Uber service doesn't include the prices for gas, car maintenance, passenger insurance, nor health and retirement insurance for the driver, and Uber prices also don't include VAT nor surtax. Ekotaksi taxi company stated how Uber would be breaking state laws about offering passenger transport service, saying how Uber drivers have no obligation to maintain passenger safety and service quality. Cammeo taxi service stated how if they themselves invest in their drivers, issue fiscalized receipts, pay VAT, that in that case they consider Uber to be unfair competition that is breaking many laws. Večernji list reported ORaH and the taxi services were planning an open letter to the Zagreb city council to prevent Uber from coming to the Croatian capital. In October 2015, Uber arrived in Zagreb, the country's capital.^[69] Eight months later, in June 2016, the service also started operating in the coastal cities of Split and Dubrovnik, two important tourist locations.^{[70][71]} In September 2016, Jutarnji list reported that a group of taxi drivers attacked a Uber driver who was waiting for a passenger at the Zagreb Airport. The Uber driver canceled the drive before the passenger arrived and drove away,

with the attackers following him. The attack was filmed by the victim and reported to the police.^[72]

2.9 Denmark

After Uber Black and UberPop was launched in Copenhagen in November 2014, the national transport authority filed a police complaint, as it suspected Uber of operating illegally in Denmark. A spokesperson for the authorities told reporters that Uber had not made contact prior to the launch, and "we don't think their [Uber] services are in line with the law."^[73] Denmark's transport minister then spoke in January 2015, stating that, although he was not opposed to Uber, the app was "contrary" to Danish law—consumer safety and employee training were identified as the key concerns. However, a final decision is subject to the outcome of the police investigation that was initiated in November 2014.^[74]

On July 8, 2016, six Uber drivers were convicted for offering taxi services without license. The sentence will likely start a flurry of similar trial cases, as Danish police have charged more than 48 Uber drivers for unlicensed taxi driving so far.^[75]

On 18th November 2016, the eastern high court of Denmark ruled that Uber is an illegal service^[76]

2.10 Finland

Police investigation has ended and the case has been delivered to the Prosecutor's Office of Helsinki.^[77]

2.11 France

After Uber launched its UberPop version of the app in Paris in early 2014, the Directorate-General for Competition, Consumer Affairs and Product Quality/Safety (DGCCRF), France's consumer-protection agency, began to consider banning UberPop. The DGCCRF was concerned about unfair competition because UberPop sells itself as a ride-sharing service when it is actually a taxi service (in France, for-profit ride sharing requires licensing and insurance); and that Uber was not paying taxes that it should be.^[78]

In addition to the consumer agency's action, taxi drivers staged a series of strikes, while authorities passed new legislation in September requiring all car services that are not traditional taxis to return to a garage between fares, and prohibited Uber from displaying the location of nearby cars on its app. A court decision deeming the service illegal was handed down on October 17, 2014. The court stated that UberPop violated a pre-existent regulation that bans carpooling for profit and fined Uber €100,000 (US\$128,000) for "deceptive practices."^[78]

After the UberPool service, described by Uber as the

next iteration of the UberPop model, was introduced to Paris in mid-November 2014, Pierre-Dimitri Gore-Coty, Uber's Western Europe chief, told the media that "We [Uber] will never make any changes until we are forced to." Gore-Coty said that Uber was "very confident" about overturning the decision and that Uber had no intention of changing its app in accordance with French legal demands.^[79] UberPool remained operational in Paris^[80] and continued to aggressively recruit French drivers and passengers.^[81]

On December 12, 2014, a French court ruled that Uber could not advertise some of its services to the general public in France; if it did so, it would face a \$25,000 daily fine.^[82] The company's UberPop service was banned on January 1, 2015, under the provisions of the Thévenoud Law, which requires anyone carrying passengers for hire to be licensed and have insurance.^[83] As of February 23, 2015 about 100 drivers, mostly first-time offenders, had been ticketed.^[84]

In June 2015, French authorities arrested Uber managers Thibault Simphal and Pierre-Dimitri Gore-Coty on six charges, including "deceptive commercial practices," complicity in instigating an illegal taxi-driving activity, and the illegal stocking of personal information.^[81] Meanwhile, anti-Uber protests by taxi drivers became increasingly violent.^[85]

In June 2016, Paris court fined Uber €800,000, half suspended, for illegally running its UberPop service in 2015.^[86]

2.12 Germany

In early 2014, Berlin authorities ruled against Uber—which operates in the German cities of Berlin, Munich, Frankfurt, Hamburg, and Düsseldorf—on two occasions following a case filed by the Berlin Taxi Association. The first ruling, delivered by a court of law in April 2014, deemed Uber's limousine service to be in breach of local legislation, while an August 13, 2014 decision banned the service from operating in Berlin due to safety concerns—the latter decision, which includes a €25,000 (Euro) (US\$33,400) fine for non-compliance, cited issues pertaining to unregulated vehicles and unqualified drivers who are not properly insured. A Berlin Taxi Association representative said on August 14 that the legal proceedings were ongoing, and that Uber could lodge an appeal against the second decision.^[87]

On August 28, 2014, a court in Frankfurt issued an immediate cease and desist order against Uber, following an appeal from the cooperative Taxi Deutschland.^[88] The preliminary injunction applied to all of Germany^[89] and included a fine of €250,000 (US\$328,108) per ride for non-compliance.^{[90][91]} If the injunction was breached, Uber's German-based employees could be jailed for up to six months, in addition to an imposition of fines upon the company.^[3] Uber's premium Uber Black service was

not affected by the ruling.^[92]

On September 16, 2014, the district court of Frankfurt revoked the preliminary injunction, thereby re-allowing Uber to operate in Germany.^[88] The presiding judge wrote that the Taxi Deutschland case "would have had prospects for success," but the case was merely lodged too late, as any case needs to be filed within two months of a service's launch—Uber started in Germany in April 2014, but the case was filed in August 2014.^[92] According to Taxi Deutschland's legal representative after the announcement of the decision, the body had "already decided to appeal the decision, and we [Taxi Deutschland] will also seek that the temporary injunction be reinstated," meaning that the matter must be heard in a higher court.^[93]

On March 18, 2015, the Frankfurt district court imposed a nationwide ban on local transport services using Uber and UberPop smartphone apps. Each violation of this Uber order would be subject to a 250,000 euro fine. According to the presiding judge, there is a violation of the passenger transport law because drivers operate without authorisation and don't have the right kinds of licenses. He also said that the company did not carry sufficient insurance to cover Uber's services.^{[94][95]}

In May 2015, Uber ceased UberPop and replaced it by UberX which is more similar to a conventional chauffeur service. According to Uber, this new service is now compatible with German law.^[96]

2.13 Hong Kong

On August 11, 2015, Hong Kong Police raided Uber's office after arresting five drivers in a sting operation aimed at combating illegal taxis.^{[97][98]} 2 more drivers were arrested on the next day.

However, it was noted that on its website the Hong Kong government investment agency, InvestHK, had been endorsing Uber as one of its "success stories". This now has been removed, as the mobile car booking application cannot meet legal requirements in Hong Kong.^[99]

2.14 Hungary

According to the position of the government,^[100] Uber is an illegal taxi service in Hungary. The Tax Authority received the right to block the illegal services of Uber from the internet. Uber drivers can get fines up to 800,000 HUF (2,500 EUR), authorities can remove the licence plates of driver. All controlled drivers were illegal.^[101]

2.15 India

2.15.1 Hyderabad

The Hyderabad road transport authority banned Uber cabs a day after the Indian Ministry of Home Affairs advised all states to stop the operation of web-based taxi services. A spokesman for the authority said that Uber did not hold a license to operate in the city, and asked the public to cease using Uber cab services.^[102]

2.15.2 Karnataka

The state government of Karnataka was reported to have banned Uber on the morning of December 11, 2014. The decision occurred after Home Minister Rajnath Singh announced in Parliament on December 9, 2014, that he had advised all states and Union territories to ban unregistered and unlicensed cab services. The state's transport department was expected to issue the notification imposing the ban during the afternoon of December 11.^{[103][104]}

2.15.3 New Delhi

In December 2014, following allegations of rape against an Uber driver in New Delhi, India,^[105] Uber was banned from New Delhi for not following the city's compulsory police verification procedure.^[106] The driver had been charged, then acquitted, of a prior sexual assault in 2011.^[105] Within two days of the rape incident, almost 7,000 people signed a petition calling on Uber to conduct mandatory seven-year background checks on drivers, in line with its U.S. operations.^[107] Delhi's transport department banned Uber from all activities related to the provision of any type of transport service in the city.^[108] Uber issued a statement stating that it would work with the Indian government "to establish clear background checks currently absent in their commercial transportation licensing programs."^[109]

In banning Uber, Delhi's transport department cited a number of rules that Uber had broken. According to New Delhi's Radio Taxi Scheme, 2006, all taxi licensees must be either a company under the Companies Act, 2013 (or the 1956 Act), or a society under the Societies Registration Act, 1860. Furthermore, taxi services must provide adequate parking space for all taxis, as well as sufficiently sized office space to accommodate the control room, the maintenance of a minimum fleet size per license (500 vehicles), and all vehicles must be fitted with GPS/GPRS tracking systems (to be in constant communication with the control room while on duty). The rules also stipulate that the taxi licensee is responsible for ensuring the quality of drivers, including police verifications, supervision, and employee behaviour.^[109]

As of March 2016, Uber is still operating in New Delhi.

2.16 Italy

On May 25, 2015, Italian judge dott. Claudio Marangoni banned the UberPop app for unfair competition practices.^[110]

2.17 The Netherlands

On December 8, 2014, Dutch judges banned the UberPop ridesharing service that was launched as a pilot project in Amsterdam between July and September 2014, followed by an expansion into The Hague and Rotterdam. The Hague-based Trade and Industry Appeals Tribunal ruled: "Drivers who transport people for payment without a licence are breaking the law". Uber's official response indicated that the company would continue to offer the service, despite the €100,000 fine and the €40,000 fine for drivers who are apprehended.

2.18 Malaysia

On October 15, 2014, five Uber drivers have been involved in a crackdown by the Road Transport Department (JPJ), under the Ops Teksi Uber 2014 operation – which began on October 1. The four other vehicles were returned to their respective owners – with their documents confiscated pending further investigation by the Land Public Transport Commission (SPAD). Due to a wide range of circumstances, the four vehicles could be returned to owners should proper documents and other factors correlate.^[111] On October 17, 2014, JPJ will continue its crackdown on drivers and cars affiliated to the personal driver app, which has been growing in popularity with urbanites. Despite the hiccup, the department suspects that Uber services are still available for loyal customers.^[112] Since October 2014, the Land Public Transport Commission has impounded 44 Uber vehicles, using many methods such as tracking the vehicles using Uber's app.^{[113][114]} It was also reported that some taxi drivers have taken it upon themselves to nab Uber drivers and turn them over to the police.^{[115][116]}

The Land Public Transport Commission is currently considering ways to accommodate ride sharing companies like Uber due to growing public support for the service.^{[117][117]}

2.19 New Zealand

In January 2015, a number of Uber vehicles were stopped by New Zealand Police. The police's position is that Uber is in violation of the Land Transport Act because the fares are not agreed upon ahead of time; hence, Uber hires do not fit the legal definition of a "private hire service," in accordance with its registration in New Zealand. Two Uber drivers were charged with violating the Land Transport Act and face fines of up to NZ\$10,000.^[118]

On January 20, 2015, the Associate Transport Minister, **Craig Foss**, said that the rules covering taxis and private hire services, including Uber, will be reviewed by New Zealand officials by mid-2015.^[119]

In April and May 2016 the New Zealand Transport Authority (NZTA) sent warnings to seventeen Uber drivers who did not comply with current regulations.^[120]

2.20 Norway

Uber made its mobile app available for Norwegian cities in 2014.^[121] According to the Norwegian Professional Transport Act required taxi license to charge for passenger transport “addressed to general public on public space”^[122] More drivers have been fined for pirate taxi business for violation of the law. In 2015 tried Uber-driver for this court and this acceptance was acquitted because the court found that communication through a mobile app was not to be regarded as “public space.”^[123]

Using Uber offered passengers the compensation to any customers via a mobile application. Logged Uber drivers make themselves available for customers who want transport. The provision of passenger transport in return for remuneration is thus not aimed at the audience in a public place. Relationship affected accordingly excluded from the law as it naturally must be understood.

— osloby.no Uber-driver acquitted in Oslo District Court 08.12.2015

Taxi owners’ organizations have argued that Uber is considered to be an organized pirate taxi operations, while supporters of liberalization mean business model Uber is more forward-looking and making it easier to “run white” and can facilitate greater safety for passengers.^{[124] [125]}

2.21 Philippines

On October 23, 2014, despite the recommendation of the Metropolitan Manila Development Authority,^[126] the Philippine Land Transportation Franchising and Regulatory Board (LTFRB) imposed a ₱120,000 (US\$2,676) to ₱200,000 (US\$4,460) fine for the use of the Uber app on public utility vehicles and sedans, respectively.^[127] A spokesperson for the board said that the fines were issued because Uber did not have an approved franchise to operate in the country—they were not directed at the service itself.^[127] The LTFRB also remarked that Uber can still operate in Metro Manila if the Philippine House of Representatives grants the company a proper legislative franchise, saying “We want this scheme work in the Philippines because the application is good, but it has to work inside the context of Philippine laws.”^[128]

On October 30, 2014, after an intervention from the Department of Transportation and Communications, the LTFRB temporarily suspended its campaign of apprehending Uber vehicles and will review its operations.^[129]

Amid opposition from taxi companies, On May 10, 2015, Uber and similar services finally gained legal ground to operate, with the country’s Department of Transportation and Communications giving them a new classification as The Transportation Network Vehicle Service. The country requires a GPS system installed, a young fleet of vehicles, and the appropriate permits.^[130] Taxis were also given a chance to compete by also giving them a sub-classification that matches features found in Uber and other similar services. But the LTFRB mentions that if Uber does not secure registration to have a legal franchise by August 21, 2015, their services will be permanently halted.^[131] Uber then complied and secured government registration to become the country’s second “transportation network company” or “TNC” after GrabCar on August 19, 2015.^[132] Individual vehicle operators however still need to undergo separate registrations with the LTFRB.^[132]

2.22 Poland

Although Uber itself, as the provider of Application, is fully legal in Poland, drivers work illegally. Providing transport services in Poland, according to Road Transport Act (Ustawa o Transporcie Drogowym) requires a permit. The service provided by Uber drivers specifically requires a permit for providing transport services with a taxicab. To get a permit a driver must take both medical and psychomotoric tests, must lead a company or be employed by one, and a car must be equipped with a taximeter, a cash register and a taxi sign. Unless drivers do have the permit, they commit an offence against the Road Transport Act and unless they have a cash register they commit an offence against Value Added Tax Act, both punishable by a fine of up to 5000 PLN each. Several judicial proceedings against Uber drivers have been taking place.,^{[133][134]}

Following the commencement of Uber services in Warsaw, Jaroslaw Iglowski, chief of the Union of Warsaw Taxi Drivers, said: “We will put pressure on politicians, and demand that they change the regulations [for firms offering taxi services].”^[135]

2.23 Portugal

On April 29, 2016 a massive protest organized by taxi drivers and associations took place in major cities. During the protest at least one taxi company of Porto refused calls due to having no available taxis, causing the Uber app to move to the top of the app stores’ downloads.^[136] The Government hasn’t yet come to a decision on Uber, although a minister was quoted as saying it is illegal.^[137] A rule by a Lisbon court had already caused ISPs to block

Uber sites in 2015.^[138]

2.24 Romania

In May 2015, the Romanian Parliament adopted a law which banned transport services by unauthorized drivers, effectively making Uber illegal.^[139]

2.25 South Africa

Over 30 vehicles operating for the Uber service in **Cape Town** were impounded at the beginning of January 2015. Local transport officials claimed that the service was operating without suitable permits.^[140]

2.26 South Korea

The **Seoul** city government released an official statement in July 2014 expressing its intention to seek a ban on Uber's smartphone app. The government stated that South Korean law prohibits fee-paying transport services that use unregistered private or rented vehicles, and a Seoul driver received a one-million won (US\$974) fine in April 2014 after using Uber to solicit customers in a rented car. The city government also initiated a police investigation of Uber in June 2014, but the request was suspended due to a lack of evidence; however, the July statement indicated that the investigation would be recommenced. A response from Uber warned the government that it risked being "trapped in the past."^[141]

In December 2014, the company's Korean office announced that the Seoul Central District Prosecutors' Office had issued an indictment against both them and Kalanick. The indictment is in regard to the violation of a Korean law prohibiting individuals or firms without appropriate licences from providing or facilitating transportation services.^[142]

2.27 Spain

On December 9, 2014, a judge ordered Uber to cease all activities in Spain. Since its arrival in Spain, the company had been the target of a series of protests by the **Madrid Taxi Association**, which considers the app to be unfair competition. In a statement after the ruling, the Spanish court stated that drivers "lack the administrative authorisation to carry out the job, and the activity they carry out constitutes unfair competition."^[143] The company suspended its operations in Spain on December 30, 2014.^[144]

2.28 Taiwan

As of December 6, 2014, Uber **Taiwan** had received over NT\$1,000,000 in fines for operating illegally, including a cease and desist of the app, on December 5, 2014. Issues included failure to insure vehicles, operating like a business without a business license, metered fares unknown to passengers, metered fares not inspected by the **Ministry of Transportation and Communication**, and failure to report income and pay taxes. Many drivers had their licenses suspended for violations.^[145] In December 2014 the Ministry of Transportation and Communications announced that the company was operating unlicensed taxis in violation of national law, and that the government was considering blocking the service.^[146]

In 2016, it is reported that the Transportation Ministry will seek to amend the laws to allow Uber to remain in Taiwan and operate legally.^[147]

2.29 Thailand

Following concerns raised by taxi drivers in **Thailand** over the lower rates charged by Uber drivers, the head of the country's Department of Land Transport, Teerapong Rodprasert, declared Uber illegal on November 28, 2014, alleging that Uber vehicles are not properly registered in Thailand, the charging methods of Uber drivers are not valid, Thai Uber drivers are not properly licensed, and the service discriminates against people who do not possess credit cards.^[148]

The Department also raised security concerns over Uber's credit card-only policy in Thailand, and Teerapong said that Uber was also illegal under Thailand's Motor Vehicle Act B.E. 2522. As of the November 2014 announcement, the Uber Black and UberX services are available in the Thai cities of Bangkok and Phuket.^[148]

Following the announcement, Uber drivers faced a maximum 4,000-baht fine if caught by police. Meanwhile, a meeting of different government agencies was held to decide how Uber services would be managed in the future—the outcome was not publicized in the media at the time of the announcement.^[148]

2.30 United Kingdom

On June 11, 2014, London-based **Hackney carriage** (black cab) drivers, members of the Licensed Taxi Drivers Association, disrupted traffic as a protest against **Transport for London's** refusal to stop Uber's calculation of fares based on distance and time taken, as they claimed it infringes upon their right to be the sole users of taximeters in London.^[149] The following week, London mayor **Boris Johnson** stated it would be "difficult" for him to ban Uber "without the risk of a judicial review"; however, he expressed sympathy for the view of

the black-cab drivers:

I think it's a very difficult [question] ... We've gone to the high court to get a ruling on this, and the issue is basically: is the driver's mobile in the cab equivalent to a taxi meter? I can see why m'learned friends might think that it is, because it's receiving data about, or it's calculating, the distance and time and the fare. And there are other lawyers who say that it isn't, and that was the advice of the counsel to TfL. And so we've got a legal problem.^[150]

In a blog post black-cab driver Rooney Johan wrote: “if they (had) included us and the limousine companies instead of the private cars we would have acted differently”, which was followed by another black-cab owner George Ryan saying: “if Uber want to operate outside US they have to modify their business model”. Following the black-cab protest, driver Richard Cudlip wrote in his blog, “as a trade we failed to get our message across”. Cudlip also said he was concerned about safety in minicabs, slow issuing (and reissuing) of black-cab licences, a failure to prevent minicabs from illegally touting for business, and a lack of space outside key London tourist destinations.^[150]

On 16 October 2015, after Transport for London brought a case to the high court to determine whether the way Uber's app calculates a fare falls under the definition of a taximeter, it was ruled that the app is legal in London.^[151]

On 28 October 2016, in a landmark ruling if not overturned on appeal, the Central London Employment Tribunal ruled that Uber drivers are “workers” entitled to the minimum wage, paid holiday, sick leave and other normal worker entitlements, rather than self-employed. Two Uber drivers had brought the case to the employment tribunal with the assistance of the GMB Union on 20 July 2016.^{[152][153][154]} The ruling could have implications wider than just Uber, throughout the so-called gig economy.^[155]

2.31 United States

As of August 2013, Uber was being sued by American drivers who claimed that the company was stealing their tip money.^[156]

2.31.1 Alaska

In September 2015, Uber paid the State of Alaska \$77,925 and paused operations in Anchorage. The state argued that Uber was misclassifying drivers as contractors instead of employees, which violated state law. The state held that Uber could not operate in Alaska until they complied with state laws.^[157]

2.31.2 California

In May 2011, Uber received a cease-and-desist letter from the San Francisco Municipal Transportation Agency, claiming it was operating an unlicensed taxi service, and another legal demand from the California Public Utilities Commission that it was operating an unlicensed limousine dispatch. Both claimed criminal violations and demanded that the company cease operations. In response, the company, among other things, changed its name from UberCab to Uber.^[158] In the fall of 2012, the California Public Utilities Commission issued a cease-and-desist letter to Uber (along with rideshare companies Lyft and SideCar) and fined each \$20,000. However, an interim agreement was reached in 2013 reversing those actions.^[159]

In September 2013, the CPUC unanimously voted to make the agreement permanent, creating a new category of service called transportation network companies to cover Lyft, UberX, SideCar, and Summon, thereby making California the first jurisdiction to recognize such services.^[160]

On September 17, 2014, California's Governor approved the “Assembly Bill No. 2293” bill that became effective on July 1, 2015. The bill will amend “the Passenger Charter-party Carriers’ Act to enact specified requirements for liability insurance coverage for transportation network companies, as defined, and their participating drivers.” The driver under the new law is defined as “any person who uses a vehicle in connection with a transportation network company's online-enabled application or platform to connect with passengers.” The stated minimum insurance requirement ranges from US\$50,000 to \$100,000 for death and injuries per individual or incident, and stipulates US\$30,000 for property damage. As a breach of the bill would be classified as a criminal act, a corresponding “state-mandated local program” will be implemented.^[161]

In April, 2016 a case that was originally filed on December 9, 2014 by the District Attorneys of both Los Angeles, California, and Uber's headquarter city of San Francisco was resolved. Prosecutors claimed that Uber made misleading statements about the background checks it performs on drivers and falsely charged a “safe ride fee.” The case was resolved when Uber agreed to no longer claim to be the “safest ride on the road,” change the name of the “safe ride fee” to “booking fee,” and pay \$10 million (with the possibility of paying \$15 million more if they do not comply within two years).^[162] San Francisco's city attorneys had previously settled out of court with the rideshare company Lyft over similar allegations.^[163]

2.31.3 Illinois

On October 5, 2012, Uber was sued by the taxi and livery companies in Chicago. According to the release, Uber is

accused of violating Chicago city laws and Illinois state laws designed to protect public safety, consumer protection, and fair practices.^[164]

2.31.4 Massachusetts

On August 1, 2012, the Massachusetts Division of Standards issued a cease-and-desist letter to Uber, on the grounds that the GPS-based smartphone app was not a certified measurement device, but on August 15, the agency reversed its ruling after prodding by Governor Deval Patrick, saying that technique was satisfactory because it was under study by the National Institute of Standards and Technology.^[165]

The legislature passed a law formally legalizing and regulating transportation network companies in July, 2016.^[166] The law requires background checks, vehicle decals and inspections, insurance, state certification of drivers; prohibits increased fares during a declared emergency or for passengers with disabilities; requires drivers to be 21 or older; and sets up a complaint process and commission to review the economics of the whole ride-for-hire industry. Unlike taxis, TNC vehicles are prohibited from “cruising” for passengers on streets. The law also establishes a \$0.20 per-ride charge, which is distributed to cities and towns for transportation and ride-for-hire economic development purposes.

2.31.5 Nevada

On November 25, 2014, Washoe County, Nevada District Court Judge, Scott Freeman, issued a preliminary injunction preventing Uber from operating statewide. The temporary injunction was based on the company’s failure to file a certificate of public convenience and necessity, which is required for every transportation service in Nevada to conform with state regulations. The Government of Nevada also claims that Uber’s screening process is not rigorous enough to protect consumers, and fails to conform with the aforementioned regulations. Uber contested the ruling, arguing that it is an app-based technology company rather than a transportation company, but the company’s management made the decision to temporarily shut down its Nevada operations.^[167]

2.31.6 New York

The New York City Taxi and Limousine Commission has discouraged drivers from participating in Uber, resulting in suspension of Uber-operated taxi service in the city in October 2012. Uber’s premium sedan service was not affected.^[168] When Hurricane Sandy hit New York later that month, Uber drew criticism for doubling prices as part of its “surge pricing” system.^[169] (Uber ultimately waived its fees and passed on all of the fares to its drivers,

and defended its pricing by noting that it tripled the number of vehicles available)

2.31.7 North Carolina

On September 4, 2015, Gov. Pat McCrory signed into law Senate Bill 541 [NC Session Law 2015-237] “AN ACT TO REGULATE TRANSPORTATION NETWORK COMPANIES” which amends Chapter 20 of the North Carolina General Statutes to establish statewide regulation of Uber and similar transportation network companies operating within North Carolina. It also forbids the establishment by county and municipal governments of additional regulations [e.g. fees, licenses, etc.] upon Uber and similar transportation network companies and their associated drivers operating within North Carolina. It came into force on October 1, 2015.^[170]

2.31.8 Oregon

On December 8, 2014, the City of Portland, Oregon, sued Uber, claiming that Uber violates the city’s Private for Hire Transportation Regulations and Administrative Rules. The court was asked to stop Uber from operating in Portland.^[171] The following week, the company suspended its operations in the city for three months, pending planned changes to local regulations.^[172]

2.31.9 Pennsylvania

In January 2015, the enforcement bureau of the Pennsylvania Public Utility Commission (PUC) announced that it would subpoena Kalanick to appear at a February meeting of the PUC, to provide information they had asked Kalanick for some months before, on trips the ride-sharing company took while under a cease-and-desist order issued by an administrative law judge panel over the previous summer. In past actions, the PUC had cited ride-share drivers for providing service illegally in Allegheny County, where Pittsburgh is located. They also said that they would be raising the proposed penalties from \$95,000 and \$1,000 per day of operation without authority, to \$19 million and \$1,000 per day from October 3, 2014, until Uber provides the data the PUC is requesting.^[173] Among Pennsylvania’s two largest cities—Philadelphia and Pittsburgh—Uber has received a mixed response: while Philadelphia has outlawed ridesharing, Pittsburgh has fully embraced ridesharing to the point that Uber uses Pittsburgh as a testing ground for self-driving cars in conjunction with Carnegie Mellon University and later reached an agreement to allow drivers to pick up riders at Pittsburgh International Airport.^{[174][175]} Although UberX is illegal in Philadelphia, it continues to operate.^[176]

2.31.10 Texas

On May 7, 2016, Uber and Lyft announced they would no longer provide service in the city of Austin after city voters rejected a referendum backed by the two companies that would have repealed a city ordinance requiring their drivers to submit to fingerprint-based background checks.^[177]

2.31.11 Virginia

On June 5, 2014, the Virginia Department of Motor Vehicles issued a cease-and-desist letter to both Uber and its competitor Lyft, demanding they halt operations within Virginia.^[178] Since mid-2015 regulations have been implemented governing transportation network companies and associated partner drivers within the Commonwealth of Virginia.^{[179][180]}

2.31.12 Washington

On March 17, 2014, the Seattle City Council voted to limit the number of drivers that ridesharing services like Uber, Lyft, SideCar, and others could operate to 150 per service.^[181] City Council Member Kshama Sawant argued in favor of the caps as a means to protect traditional taxi drivers.^[182] However, on April 17, 2014, the council's ordinance was suspended by a coalition that obtained 36,000 signatures to put the question to voters in a referendum. As a result, Mayor Ed Murray announced a 45-day negotiation process to find an alternative approach.^[183] As of July 14, 2014, Uber has donated over \$500,000 to "Seattle Citizens to Repeal Ordinance 124441," a political group seeking to overturn the ordinance limiting the number of rideshare vehicles in Seattle.^[184]

2.31.13 Washington, D.C.

In January 2012, an Uber driver's cab was impounded as part of a sting by the Washington, D.C. taxicab commission. The commissioner said the company was operating an unlicensed taxicab service in the city.^[185] Following a social media campaign by Uber's users, the D.C. city council voted in July to formally legalize this type of service with no minimum fare, which led to taxicab drivers protesting.^[186]

2.31.14 New Hampshire

A law regulating TNCs (Transportation Network Companies) is awaiting a signature from the Governor of New Hampshire as of June 3, 2016. This new legislation would require "each ride-sharing company to pay an annual fee of \$500, not each driver. It also includes requirements that each transportation network company (TNC) get a

permit from the state, obtain a driver history report on each driver that meets the provisions of the law and require their drivers to have liability insurance while they're driving for them." and would not be need to be enforced by local agencies instead being regulated by the New Hampshire Department of Safety. It has support from local governments such as from the City of Portsmouth.^[187]

3 Further reading

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