

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120

John F. Peoples
v.
Lyft Incorporated

Public Meeting held October 24, 2019
3000667-OSA
Docket No. C-2018-3000667

MOTION OF CHAIRMAN GLADYS BROWN DUTRIEUILLE

On March 13, 2018, John F. Peoples filed a formal Complaint against Lyft, Inc. In the Complaint, Mr. Peoples stated his reason for the Complaint was “[Lyft] refuses to provide service because I have complained about non-English speaking drivers to other drivers.” The Complainant requested that Lyft be ordered to provide him service.

During the scheduled hearing, Mr. Peoples’ counsel orally amended the Complaint to add a claim of discrimination, alleging that Lyft deactivated the Complainant’s account because he was blind. The issue in this matter is whether Lyft unlawfully discriminated against Mr. Peoples in violation of 66 Pa.C.S. § 2604.3(a)¹, by deactivating his account because he is blind, and it was too difficult to accommodate him.

Mr. Peoples testified that Lyft drivers have driven away from him on several occasions. However, Mr. Peoples did not produce any empirical records to substantiate his claims. In the Initial Decision, the ALJ determined that the Complainant failed to establish a *prima facie* case that Lyft discriminated against him when it permanently deactivated him from its platform. In reaching his decision, the ALJ stated that Lyft deactivated Mr. Peoples from the platform, not because he is blind, but because of the Complainant’s continuing rude, harassing, and racist behavior, which is a violation of Lyft’s Terms of Service.

Mr. Peoples’ filed Exceptions on February 14, 2019 and Lyft filed Replies Exceptions on March 1, 2019.

I agree with the ALJ’s determination that the Complainant did not present evidence to establish a *prima facie* case that Lyft discriminated against him due to his disability. His mere bald assertions, personal opinions or perceptions do not

¹ 66 Pa. C.S. § 2604.3 Service Standards

constitute evidence to bolster a claim.² In addition, Mr. Peoples made several negative statements regarding “foreign drivers.” Meanwhile, the Complainant’s own testimony, regarding the opinions he voiced about the drivers’ nationalities and the way in which those opinions may have been viewed by the drivers, provided a logical explanation regarding the account deactivation.

THEREFORE, I MOVE THAT:

1. That the ALJ’s Initial Decision be sustained.
2. That the Exceptions by the Complainant be denied.
3. That the Office of Special Assistants draft an Opinion and Order consistent with this Motion.

October 24, 2019
Date


Gladys Brown Dutrieuille
Gladys Brown Dutrieuille, Chairman

² *Pa. Bureau of Corrections v. City of Pittsburgh*, 516 Pa. 74, 532 A.2d 12 (1987).