

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3796

STATE OF NEW JERSEY

DATED: MARCH 15, 2021

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3796.

This bill provides that if a transportation network company driver or a taxicab driver commits an act of sexual penetration or sexual contact using coercion or without the victim's affirmative and freely-given permission and the victim is a passenger, the driver is guilty of the crime of aggravated sexual assault. If the driver commits an act of sexual contact under these circumstances, the driver is guilty of aggravated sexual contact. Aggravated sexual assault is a crime of the first degree, which is punishable by 10-20 years imprisonment, up to a \$200,000 fine, or both. Aggravated criminal sexual contact is a crime of the third degree, which is punishable by three to five years imprisonment, up to a \$15,000 fine, or both.

A "transportation network company driver" is defined in the bill as having the same meaning as provided in section 2 of P.L.2017, c.26 (C.39:5H-2): a person who receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company, and uses a personal vehicle to offer or provide a prearranged ride to a rider upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee.