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**April 8, 2025**  
**House Corporations Committee**  
**Testimony by Lyft, Inc. Opposing House Bill 5546**

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Chair Solomon, Vice Chair O'Brien, and esteemed members of the House Corporations Committee,

Thank you for the opportunity to contribute to this important discussion on House Bill 5546. Helping to protect the safety of rideshare passengers is fundamental to our mission at Lyft. Since day one, we have worked hard to design policies and features that aim to protect both drivers and passengers, and we are always looking for innovative ways to help keep our community safe.

Before giving a ride on the Lyft platform, all driver-applicants are screened for criminal offenses and past driving incidents. Our criminal background checks are provided by a third-party company, and include a social security number trace, a nationwide criminal search, a county court records search, a global watchlist search, a federal criminal court records search as well as a U.S. Department of Justice 50-state sex offender registry search. We run a new background check on all active Rhode Island drivers annually. We also enroll drivers in continuous criminal monitoring and continuous driving record checks that provide Lyft with notification of disqualifying criminal convictions or driving flags. Any driver who does not pass both the annual and continuous screenings is unable to drive on our platform.

Drivers are also disqualified if they fail to meet our strict standards for driving record checks, including but not limited to having more than three minor violations in the past three years (like collisions or traffic light violations), a major violation in the past three years (like driving on a suspended license or reckless driving), a DUI or other drug-related driving violation in the last seven years, or any driving-related convictions in the last seven years (like a hit-and-run or felonies involving a vehicle). Driving record checks are conducted when drivers onboard with Lyft and then they are enrolled in continuous monitoring.

According to our reading of the bill, House Bill 5546 seeks to create a national fingerprinting criminal background check process for Rhode Island driver-applicants that would require use of the FBI's Criminal Justice Information System (CJIS). There are two core reasons we oppose such a requirement: (1) fingerprint-based checks that use the CJIS are relying on a database of state and municipality-submitted arrest records that are often incomplete; and (2) fingerprint-based checks disproportionately impact and have potential discriminatory effects on communities of color.

We would also ask you to consider the following issues with fingerprint-based checks:

- **Individual records in the FBI database are incomplete:** States and counties have no mandate to update the database with final case outcomes, meaning the database often lacks up-to-date records and final court dispositions - whether someone was charged, convicted or acquitted. A 2015 GAO report estimated that up to 50% of arrest records lack final dispositions. Contrast this with Lyft's robust comprehensive process, which does not just rely on a single database and biometric features, but pulls from multiple criminal databases using various inputs.
- **The FBI database is not subject to rigorous standards:** Our independent, third-party background check companies are subject to the Fair Credit Reporting Act<sup>1</sup> (FCRA), which requires that consumer reporting agencies ensure their background check information is accurate, up-to-date and complete. In contrast, FBI records are not subject to consumer protection laws like the FCRA. As a result, the FBI records often lack personally identifiable information, and are not subject to the same accuracy and completeness standards.
- **Not all records are included in the FBI database:** If a state or county fails to report arrest records or court dispositions, that data will not appear in the FBI database — leading to searches of incomplete files. Other records do not meet the standards for inclusion in the FBI database because the fingerprints received are of poor quality. Additionally, some go missing or are lost when transferred between departments, further proof of the issues with fingerprint-based checks.

As stated earlier, fingerprint-based background checks are shown to have a discriminatory impact on communities of color. Nearly 50% of African American men and 44% of Latino men are arrested by age 23 nationwide, and one-in-three of felony arrests do not result in conviction.<sup>2</sup> Basing background checks on incomplete arrest records with no final disposition is unfair and discriminatory to communities of color, as they are statistically more likely to come into contact with the police.

We are pleased to have collaborated with the Rhode Island General Assembly to pass a statewide transportation network company (TNC) law in 2016. This law (§ 39-14.2) included a number of groundbreaking new trust and safety provisions with respect to TNC drivers that are clearly working. Given that, we urge you to consider the ways that a fingerprinting requirement would negatively impact safety standards, which supports the argument that House Bill 5546 should not advance.

Thank you,

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<sup>1</sup> Under the FCRA, consumer reporting agencies can only report information that is complete, accurate and not obsolete. End users of reports (such as Lyft) are not permitted access to records that are not verified as such.

<sup>2</sup> "Demographic Patterns of Cumulative Arrest Prevalence By Ages 18 and 23"; [Crime & Delinquency](#), March 2014

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