



October 13, 2021

To: Chairman Graham Filler and Members of the House Judiciary Committee:

Uber Technologies, Inc. ("Uber") appreciates the opportunity to provide this letter in support of House Bill 5368, which would require, unless otherwise provided by another law, a record in any Michigan court to be open to the public, and when available to include an individual's full name and date of birth.

In less than a decade, Uber has become a powerful platform that connects millions of people around the world and creates meaningful mobility, delivery and earnings opportunities. Across our platform, safety is built into the Uber experience and we are constantly leveraging technology and feedback in ways that can help make travel safer than ever before. We want every experience on our platform to feel safe, respectful, and positive.

Before a person is able to drive or deliver with Uber in the United States, we complete a screening process that requires an individual's personal identifying information, including full name, date of birth, social security number and driver's license number. We work with a third party background check provider accredited by the Professional Background Screening Association, which checks the potential driver's driving and criminal history in a series of national, state, and local databases and other court record repositories.

Upon identifying a potential criminal record, an individual will be sent to review the record in-person at the relevant Michigan county courthouse or, if possible, the record will be retrieved electronically. These screenings use information that is maintained by national, state, and county level authorities, whose processes may vary by jurisdiction. By verifying potential criminal records at the source — the courthouse records — we can help ensure that we are checking the most up-to-date records available.

If HB 5368 were not to pass, beginning in January 2022, it's likely that date of birth would no longer be able to be used as a verifying factor in the background check process, a change from what exists today. This could create risk and make platforms that rely on that screening process less safe, while also negatively impacting populations that use rideshare and delivery, a group which has expanded significantly during the pandemic. In addition to the safety concerns, redacting birthdates will create confusion, and potentially harmful errors, especially with individuals who share the same name.

Also, beyond the initial screening, Uber proactively reruns criminal and motor vehicle checks each year, regardless of whether there is a legal obligation to do so for individuals in every state. That means if this law were to pass, not only would it negatively impact Michigan residents, but individuals from other states, who have lived or worked in Michigan in the past.

While we understand the court's privacy concerns, by removing date of birth from court records, they are creating safety concerns for riders and drivers on the Uber platform, and potentially jeopardizing an earnings opportunity for individuals who have chosen a platform like Uber to find work.

We enthusiastically support HB 5368, as it would preserve the status quo of how these safety screenings have existed for years. We look forward to continuing the conversation.

Sincerely,

Hayley Prim
Policy Manager, Uber