

28.20 IMPERSONATING A TRANSPORTATION NETWORK COMPANY DRIVER

§ 316.2021, Fla. Stat.

To prove the crime of Impersonating a Transportation Network Company Driver, the State must prove the following element beyond a reasonable doubt:

Give as applicable.

- 1. (Defendant) willfully impersonated a transportation network company driver by:**
 - a. making a false statement.**
 - b. displaying counterfeit signage or emblems of a trade dress, trademark, brand, or logo of a transportation network company.**
 - c. engaging in an act that falsely represented that [he] [she] represented a transportation network company.**
 - d. engaging in an act that falsely represented that [he] [she] was responding to a passenger ride request for a transportation network company.**

“Transportation network company driver” means an individual who:

- 1. Receives connections to potential riders and related services from a transportation network company; and**
- 2. In return for compensation, uses a transportation network company vehicle to offer or provide a prearranged ride to a rider upon connection through a digital network.**

“Transportation network company” means an entity operating in Florida pursuant to Section 627.748 of Florida Statutes using a digital network to connect a rider to a transportation network company driver, who provides prearranged rides. A transportation network company does not include a taxicab association or an individual, corporation, partnership, sole proprietorship, or other entity that arranges medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization.

“Digital network” means any online-enabled technology application service, website, or system offered or used by a transportation network company which enables the prearrangement of rides with transportation network company drivers.

Define “ridesharing” and “carpool” from § 341.031, Fla. Stat. and § 450.28, Fla. Stat. if necessary.

“Prearranged ride” means the provision of transportation by a driver to a rider, beginning when a transportation network company driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the transportation network company driver transports the rider, and ending when the last rider exits from and is no longer occupying the transportation network company vehicle. The term does not include a taxicab or street hail service and does not include ridesharing, carpool, or any other type of service in which the driver receives a fee that does not exceed the driver’s cost to provide the ride.

“Rider” means an individual who uses a digital network to connect with a transportation network company driver in order to obtain a prearranged ride in the transportation network company driver’s transportation network company vehicle between points chosen by the rider. A person may use a digital network to request a prearranged ride on behalf of a rider.

“Street hail” means an immediate arrangement on a street with a driver by a person using any method other than a digital network to seek immediate transportation.

“Transportation network company vehicle” means a vehicle that is not a taxicab or jitney and that is:

- 1. Used by a transportation network company driver to offer or provide a prearranged ride; and**
- 2. Owned, leased, or otherwise authorized to be used by the transportation network company driver.**

A vehicle that is let or rented to another for consideration, or a motor vehicle that is compliant with the Americans with Disabilities Act and is owned and used by a company that uses a digital network to facilitate prearranged rides to persons with disabilities for compensation, may be used as a transportation network company vehicle.

Give only if § 316.2021(2)(b), Fla. Stat. is charged.

If you find the defendant guilty of Impersonating a Transportation Network Company Driver, you must further determine whether the State proved beyond a reasonable doubt that the crime occurred [during the commission of a separate felony offense] [or] [to facilitate the commission of a separate felony offense].

The Court instructs you that the crime of (insert name of felony) is a felony offense.

The felony offense of (insert name of felony) **is committed when the following occurs:** (Insert elements of the felony offense but do not include a burden of proof).

Lesser Included Offense

**IMPERSONATING A TRANSPORTATION NETWORK COMPANY DRIVER —
316.2021**

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Theft	812.014	14.1

Comment

This instruction was adopted on September 12, 2025.