

# Interim Measures reservation network to operate a taxi service

"Interim Measures reservation network to operate a taxi service" which were adopted at the 15th Ministerial Meeting of the Transport Ministry by July 14, 2016, and by the Ministry of Industry and Information Technology, Ministry of Public Security, Ministry of Commerce, SAIC, AQSIQ Administration, the State Council Informatization Office network agree, is hereby promulgated and shall go into effect November 1, 2016.

Traffic Transport Department Chief Yang Chuantang

And the Ministry of Industry and Information Technology Minister Miao Wei

Ministry of Public Security Minister Guo Shengkun

Commerce Department Minister Gao Hucheng

Secretary for Commerce, Industry Total Zhang Mao

Total Quality Inspection Zhi Shuping Secretary for

State Information Office Network Officer Xu Lin

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## Chapter I General Provisions

The first is to better meet the diverse travel needs of the public, to promote the development of the taxi industry and Internet integration, standardized network to operate a taxi reservation service behavior to ensure operational safety and legitimate rights and interests of passengers, according to relevant national laws and administrative regulations this approach.

Article 2 taxi reservation network (hereinafter referred to as net about cars) business services, shall comply with these measures.

The term network management service about cars, refers to the Internet technology as the basis to build a service platform that integrates supply and demand information, the use of qualified vehicles and drivers, providing non- operating activities parade taxi booking service.

The term network reservation taxi operators (hereinafter referred to as the network platform about car company) refers to building Web services platform, in the corporate network about the car business services.

Article give priority to the development of urban public transportation, taxi moderate development, high-quality services in accordance with the principle of different operations, the orderly development of the network about cars.

Freight car network about the implementation of market-regulated prices, the city government considers it necessary to implement the exception of government guidance.

Article transport authorities under the State Council is responsible for guiding the national network about car management.

Provinces, autonomous regional people's government transportation departments under the leadership of the people's government, responsible for directing the administrative areas of network management about cars.

Municipalities, municipal or county level transportation departments or other people's government administrative departments taxi districts (hereinafter referred to as the administrative department of the taxi) under the leadership of the people's government, is responsible for implementing network management about cars.

Other relevant departments in accordance with statutory responsibility for the implementation of the relevant network about cars supervision and management.

## **Chapter 2 Network about car platform company**

Article about cars applying for network operators shall meet online and offline service capabilities, meet the following conditions:

(A) a legal person;

(B) have carried out the net about cars operating Internet platforms and related network data with the proposed business compatible information data exchange and processing capabilities, have for transportation, communications, public security, taxation, net in the letter and other relevant regulatory authorities according to law retrieval query condition information, network service platform database access taxi administrative department monitoring platform, server settings in Mainland China, complying with the requirements of network security management system and security protection technology measures;

(C) the use of electronic payments, providing payment and settlement services shall sign an agreement with the bank, non-bank payment institutions;

(D) have a sound management system, safety management system and service quality assurance system;

(E) have the appropriate service location service organizations and service capabilities;

Other conditions (F) laws and regulations

Net foreign investment about car business, in addition to meeting the above conditions shall also meet the foreign investment-related laws and regulations.

**Article about cars applying for network operations, shall be submitted to the respective operating regions according to the administrative department of the taxi, and submit the following materials:**

(A) network to operate a taxi booking application form (see Annex);

(B) investors, the identity of the person in charge, credit certificate and a copy, ID and a copy of proof of identity and power of attorney;

(C) business license belonging to a branch shall also submit a business license, foreign-invested enterprises should also provide enterprises with foreign investment approval certificate;

Information (D) the location of office space and services, responsible for personnel and management personnel;

(E) having the Internet platform and information data exchange and processing capabilities supporting documents have for transportation, communications, public security, taxation, net in the letter and other relevant regulatory authorities in accordance with law and obtain relevant information on the conditions of the network data evidence, the case of database access instructions, the server set up in China's explanation, according to the law establish and implement network security management system and security protection technology measures proof material;

(F) the use of electronic payments, should provide payment and settlement services agreement signed with the bank, non-bank payment institutions;

(G) management system, safety management system and service quality guarantee system text;

(Viii) legal and regulatory requirements of other materials.

For the first time in the network about the car business shall apply to companies registered in the corresponding administrative department of the taxi, paragraphs (5), paragraph (f) of the ability of the material related to online services registered by the network companies about car platform to the provincial transport authorities provider peer communications, public security, taxation, net letter, the people's Bank and other departments audit found, and provide the authorization result, the country finds that the results valid. Network about car platform outside the company to apply for registration in the network about the car business, shall be submitted in paragraphs (5), paragraph (f) of the online services related to the ability authorization result.

Service ability of the material under the other lines, by the acceptance of the application of the taxi administrative department for review.

Article taxi from the date of the administrative department in charge shall be made within 20 days of acceptance of the approval or disapproval of the decision. It can not make a decision within 20 days, after the implementation of the authority responsible for approval may be extended for 10 days, and shall extend the time limit of the reasons to the applicant.

Article VIII taxi administrative department for the network about the car business license application for an administrative decision should be made clear scope of business area, operating period, and issue a "license to operate a taxi reservation network."

Article IX taxi administrative departments do not meet the prescribed conditions shall not apply to administrative licensing decision shall be issued to the applicant "no administrative licensing decision."

Article X Network about car platform company shall obtain the appropriate "network license to operate a taxi reservation" to the applicant up to the provincial communications department in charge of Internet information service record before they are allowed to carry out related business. Registration includes the operator's real identity information, access information, taxi administrative department issued a "license to operate a taxi reservation

network" and so on. Involving operation of telecom services, it shall comply with the relevant provisions of the Telecommunications Management.

Network about car platform companies should play a formal network within 30 days from the date of Unicom, about car platform to network management operators location provincial government designated public security organs receiving organs for filing procedures.

Article XI platform company network about cars suspension or termination of operations, should advance written report to the administrative department of the taxi service location on the 30th, a description of the circumstances, serve notice that the vehicle owner and driver, to the public. Discontinued operations, it shall be appropriate "license to operate a taxi reservation network" returned to the original licensing authority.

### **Chapter 3 about vehicle and driver car**

Article XII of the proposed network in the car business for about a vehicle shall comply with the following conditions:

(A) 7 and below passenger car;

(B) the vehicle is installed with satellite positioning device having a recording function, emergency warning device;

(C) vehicle technical performance in line operations safety-related standards.

Specific standards and operational requirements of the vehicle, the taxi from the corresponding administrative department, according to high-quality services, the development of the principle differences in management, combined with local conditions determined.

Article 13 The administrative department of the taxi service location in accordance with the vehicle owner or network application platform company about the car, according to the provisions of Article XII of the audit condition for qualified and registered as a passenger vehicle rental reservation, issue a " reservation network taxi transport permits". City People's Government Network issued about cars "taxi reservation network transport permits" other provisions, such provisions shall prevail.

Article XIV in the net about car service driver, should meet the following conditions:

(A) to obtain the appropriate permission to drive the motor vehicle driver's license and have at least 3 years driving experience ;

(B) no traffic accident crime, dangerous driving criminal record, no record of drug abuse, and no drink-driving record, no record over the last three consecutive scoring record 12 points cycles ;

(C) no violent criminal record ;

(D) Other conditions stipulated city government.

After the municipal administrative departments Article XV taxi service area where it is located by the driver or the company network about car platform application, in accordance with Article 14 of the conditions of the verification assessment in accordance with regulations, and passing the examination for qualified drivers member, issue a "network reservation taxi drivers license."

## **Chapter 4 network management behavior about cars**

Article XVI network about cars bear the responsibility of the carrier platform companies, operators should ensure the safety, security legitimate rights and interests of passengers.

Article XVII net about car platform companies should ensure that vehicles provide service with a legitimate operation qualification, technical in good condition, safe and reliable performance, with operating vehicle-related insurance, guaranteed under the vehicle and vehicle online services provide the actual services provided consistent line, and vehicle-related information to the service location taxi administrative department filing.

Article XVIII net about internet company car drivers should ensure that services provided with legal qualifications, in accordance with relevant laws and regulations, according to long-time work, service frequency characteristics inferior to sign various forms of labor contract or agreement with the driver, clear the rights and obligations. Car platform under the net about company shall safeguard and protect the legitimate rights and interests of the driver, to carry out pre-job training in relevant laws and regulations, professional ethics, service standards, safety operations and other aspects of daily education and ensure that online services provide the driver with the actual line provided driver services consistent and relevant information to the driver seat of the taxi service administrative departments filing.

Network about car platform companies should record the driver about vehicles in their service platform release information content, user registration information, authentication information, order logs, access logs, online transaction log, track logs with data and backup.

Article XIX net about car platform company shall publish metered pricing is determined in line with relevant state regulations, a clear commitment to quality and services, the establishment of evaluation system and service system for handling passenger complaints, truthfully acquisition and recording driver service information. Providing network services around the car, the driver 'name, photo, phone number and service evaluation results, as well as vehicle license plate and other information.

Article XX Network about car platform company should reasonably determine the net about car freight, must be clearly marked and provide taxi passengers corresponding invoice.

A network of about twenty- car platform company shall not impede fair competition, not infringe upon the legitimate rights and interests of passengers and the public interest.

Network about car platform promising company can not exclude competitors or dominate the market at below cost price operations disrupt the normal market order, impair the national interests or legitimate rights and interests of other operators and other improper price behavior, not a price violations.

Article 22 Network about car should engage in business activities within the permitted operating area beyond the approved business area, start and end point should be within the permitted one end of the operating area.

Article 23 Network about car platform companies should pay taxes according to law, for the purchase of passenger liability insurance carrier and other related insurance, to fully protect the interests of passengers.

Article 24 Network about car platform companies should strengthen safety management, implementation operations, networks, and other security measures, strict data security and

management, improve security and ability to resist risks, support with the relevant departments to carry out related work.

Article 25 Network about car and driver platform company providing management services shall meet the national standards for service operators can not be the way Shuaike or intentional detour, violation charges shall not be prohibited, reports, complaints or quality of its services to its services passengers are not satisfied with the evaluation of the implementation of reprisals.

Article 26 should net about car platform company, through its service platform in a conspicuous manner the driver, passengers and other people about car collection purpose and use, manner and extent of personal information are informed. Information without the express consent of the subject, about car platform network company may not use the aforementioned personal information for their other businesses.

Network about car platform driver collection company, about the car and the passenger's personal information can not be provided beyond the range of from about car business network necessary.

Except with the state organs to exercise the right of supervision and inspection by law or the criminal investigation authority, about car platform network company shall not provide to any third party drivers, vehicles and passengers about the name, contact information, home address, bank account or payment account, geography location, travel routes and other personal information shall not disclose geographical coordinates, geographical markers and other sensitive information relating to national security. After the occurrence of information leakage, about car platform network company shall promptly report to the relevant authorities, and to take prompt and effective remedial measures.

Article 27 Network about car platform company shall comply with national regulations related to network and information security, personal information and business data collected generated should be stored and used in mainland China, the shelf life of less than 2 years, in addition to laws and regulations otherwise specified, the above information and data may not drain.

Network about car platform company may not use its service platform release laws and regulations prohibit the dissemination of information, can not be companies, individuals and other groups, organizations publish information harmful to facilitate and to take effective measures to filter blocking harmful information dissemination. Find others to use its network service platforms spread of harmful information, it shall immediately stop transmission, save relevant records, and the relevant authority.

Network about car platform company shall, according to law, to provide the necessary technical support and assistance to the public security organs in accordance with the law of State security, to prevent, investigate criminal activities.

Article 28 Any enterprise or individual shall not obtained legal qualification of the vehicle, the driver provides information about car docking carry network management services. We shall not take the name of private passenger cars together to provide network management services around the car.

Network about cars and drivers of vehicles shall provide operational services through without getting the permission of network services platform.

## **Chapter 5 Supervision and Inspection**

Article 29 The administrative departments should hire car construction and improvement of government regulation platform, shared with the network platform for information about cars. Sharing information should include basic information about the vehicle and driver, and passenger service quality evaluation information.

Taxi administrative departments should strengthen market supervision network about cars, about cars to strengthen the qualification network platform company, vehicle and driver management review and issuance of certificates.

Taxi administrative departments shall regularly organize network service quality evaluation about cars, about cars and the area network platform for the company's information in a timely manner to the public, service quality evaluation results, handling passenger complaints and other information.

Taxi executives, public security departments have the right to manage the transfer of legally required to consult the relevant data within the jurisdiction of the network platform for the company about car registration, operations and transactions.

Article 30 The communications administrations and public security, net in the letter shall, according to their respective duties, net of car platform company about illegal collection, storage, processing and use of personal information, in violation of the relevant provisions of the Internet information services, network and information security hazards, application about car service network platform release harmful information or publishing information harmful to businesses, individuals and other organizations to facilitate the organization of behavior, investigated and dealt with according to the law, and with the administrative department for taxi determine the existence of illegal acts network about car platform company law disposal.

Public security organs, net in the letter shall, according to their respective duties supervision and inspection of the implementation of network security management system and security protection of technological measures to prevent, investigate and deal with illegal and criminal activities.

Article 31 The development and reform, price, communications, public security, human resources and social security, business, People's Bank, taxation, industry and commerce, quality inspection, letters and other networks according to their respective responsibilities for the network about the car business activities related to the implementation of supervision and inspection, and illegal acts according to law.

Article 32 The relevant departments should establish a network of about internet company car and driver duties according to credit history, and into the national credit information sharing platform. While the administrative licensing network about car platform companies and administrative penalties and other credit information to be publicized in the national business credit information publicity system.

Article 33 of the taxi industry associations should establish a network of about internet company car and driver bad record list system, strengthen self-discipline.

## **Chapter 6 Legal Liability**

Article 34 violation of the provisions of the following acts by taxi above the county level administrative department to make corrections, give a warning, and impose more than 10,000 yuan to 30,000 yuan fine; constitute a crime, be held criminally responsible :

(A) without getting permission, or engage in the network about the car business activities ;

(B) forging, altering or using forged, altered or invalid "reservation taxi transportation network card" "Network license taxi drivers reservation" about cars in the network 's activities.

Article 35 Network about car platform company in violation of the provisions of the following acts by taxi above the county level administrative departments and functions in accordance with the price authorities ordered to make corrections for each offense punishable by more than 5,000 yuan 10,000 yuan fine; the circumstances are serious, a fine of 10,000 yuan 30,000 yuan fine:

Vehicle (i) to provide services without the "network reservation taxi transport permits" or online services provided under the vehicle and the line of actual service vehicle inconsistent;

(ii) providing services without obtaining a driver "Pre-contracting taxi drivers certificate", or to provide the driver with the online service under actual service line driver inconsistent;

(iii) failing to ensure good technical condition of the vehicle ;

(iv) the start and end points are not permitted in the network operating in the region about the car business activities ;

(v) the vehicle is not in accordance with the provision of services, the relevant information to the driver seat of the taxi service administration department prepared;

(vi) not established in accordance with the quality of service standards, establish and implement complaints system;

(vii) does not provide shared information in accordance with the provisions of, or do not match the administrative department of the transfer of taxi access to relevant data and information ;

(viii) failing to fulfill management responsibilities, there Shuaike deliberately bypass, illegal fees and other serious violations of the relevant national standards of service operators behavior.

Net platform about cars online and offline companies no longer have the ability to service or serious offenses by taxi above the county level administrative departments ordered to stop operation in accordance with the relevant provisions of the relevant laws and regulations, relevant permits revoked.

Article 36 Network about car drivers in violation of the provisions of the following circumstances, the taxi above the county level administrative departments and functions in accordance with the price authorities ordered to make corrections for each offense punishable by 50 yuan to 200 yuan

The following fines:

(A) failing to carry "network reservation taxi transport permits", " taxi drivers reservation network card";

(B) the way Shuaike or intentional detour;

(C) non-compliance fees;

(D) of the report, make a complaint are not satisfied with the quality of service or evaluate its services for passengers retaliation behavior.

Network about car driver is no longer with the practice conditions or serious violations, revoke or revoke qualification certificates taxi above the county level administrative departments in accordance with the relevant provisions of the relevant laws and regulations.

Administrative penalties network information about the driver and vehicle drivers are included in net credit record company about car platform.

Article 37 Network about car platform company in violation of the provisions of the tenth, eighteen, twenty-sixth, twenty-seven relevant provisions of the letter by the network department, the public security organs and communications administrations by their respective duties in accordance with relevant laws and regulations shall be punished; caused losses to the main body of information, it shall bear civil liability; suspected of a crime, be held criminally responsible.

Network about car platform and network company car drivers about the illegal use or disclosure of people about cars, passenger personal information, the public security, network letters and other departments in accordance with their respective responsibilities sentenced to a fine of 2,000 yuan 10,000 yuan; loss of information to the main body, bear civil liability according to law; suspected of a crime, be held criminally responsible.

Network about car platform company refuses to perform or refuses required by law for the public security organs of State security, to prevent, investigate criminal activities to provide technical support and assistance, shall be punished by the public security organs; constitutes a crime, be held criminally responsible.

## **Chapter 7 Supplementary Provisions**

Article 38 The private passenger carpools, also known as carpool, ride, executed by the relevant provisions of the city government.

Article 39 mandatory retirement network about cars with mileage of 60 million meters. Mileage does not reach 60 million meters but the useful life of 8 years, about to exit the car business network.

Small, micro non- commercial passenger vehicles registered as passenger reservation rent, according to the network about cars scrapped. Other small, micro- commercial passenger vehicles registered as passenger reservation rent, according to the type of commercial passenger vehicles scrapped and network about cars scrapped in advance Fulfilled Standards scrapped.

Provinces, autonomous regions and municipalities relevant to local conditions, specific provisions about cars scrapped network standards, and report to the State Department of Commerce, public security, transportation and other departments for the record.

Article 40 These Measures shall November 1, 2016 implementation. Around this approach can be combined according to the actual development of local specific implementation details.