TRANSPORTATION NETWORK COMPANY SERVICES EXCLUSION

This endorsement is subject to the ***terms*** contained in ***your*** Umbrella Insurance.

DEFINITIONS

The following definitions apply to this policy form:

1. ***Digital network*** means any system or service offered or utilized by a ***transportation network company*** that enables ***transportation network company prearranged trips*** with ***transportation network company drivers***.
2. ***Transportation network company*** means a person, corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to article 44-B and is operating in New York state exclusively using a ***digital network*** to connect ***transportation network company passengers*** to ***transportation network company drivers*** who provide ***transportation network company prearranged trips***.
3. ***Transportation network company driver*** means an individual who:
   a. Receives connections to potential passengers and related services from a ***transportation network company*** in exchange for payment of a fee to the ***transportation network company***; and
   b. Uses a ***transportation network company vehicle*** to offer or provide a ***transportation network company prearranged trip*** to ***transportation network company passengers*** upon connection through a ***digital network*** controlled by a ***transportation network company*** in exchange for compensation or payment of a fee.
4. ***Transportation network company passenger*** means a person or persons who use a ***transportation network company's digital network*** to connect with a ***transportation network company driver*** who provides ***transportation network company prearranged trips*** to the passenger in the ***transportation network company vehicle*** between points chosen by the passenger.
5. ***Transportation network company prearranged trip*** means the provision of transportation by a ***transportation network company driver*** to a passenger provided through the use of a ***transportation network company's digital network***:
   a. Beginning when a ***transportation network company driver*** accepts a passenger's request for a trip through a ***digital network*** controlled by a ***transportation network company***;
   b. Continuing while the ***transportation network company driver*** transports the requesting passenger in a ***transportation network company vehicle***; and
   c. Ending when the last requesting passenger departs from the ***transportation network company vehicle***.

   Transportation network company prearranged trip does not include transportation provided through any of the following:
   1) Shared expense carpool or vanpool arrangements, including those as defined in section 158-b of the New York Vehicle and Traffic Law; and
   2) Use of a taxicab, livery, luxury limousine, or other for-hire vehicle, as defined in Article 1 of the New York Vehicle and Traffic Law, section 19–502 of the administrative code of the city of New York, or as otherwise defined in local law.
6. ***Transportation network company vehicle*** means a vehicle that is:
   a. Used by a ***transportation network company driver*** to provide a ***transportation network company prearranged trip*** originating within the state of New York; and
   b. Owned, leased or otherwise authorized for use by the ***transportation network company driver***.

   Transportation network company vehicle does not include:
   1) A taxicab, as defined in section 148-a of the New York Vehicle and Traffic Law and section 19–502 of the administrative code of the city of New York, or as otherwise defined in local law;
   2) A livery vehicle, as defined in section 121-e of the New York Vehicle and Traffic Law, or as otherwise defined in local law;
   3) A black car, limousine, or luxury limousine, as defined in section 19–502 of the administrative code of the city of New York, or as otherwise defined in local law;
   4) A for-hire vehicle, as defined in section 19–502 of the administrative code of the city of New York, or as otherwise defined in local law;
   5) A bus, as defined in section 104 of the New York Vehicle and Traffic Law;

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6) Any motor vehicle weighing more than six thousand five hundred pounds unloaded;
7) Any motor vehicle having a seating capacity of more than seven passengers; and
8) Any motor vehicle subject to section 370 of the New York Vehicle and Traffic Law.

EXCLUSIONS

The following is added to the Exclusions in the Umbrella Insurance:

1. ***We*** do not pay for any ***insured*** for liability arising out of the use of a motor vehicle while being used by a ***transportation network company driver*** who is logged onto the ***transportation network company's digital network*** but is not engaged in a ***transportation network company prearranged trip*** or while the driver provides a ***transportation network company prearranged trip***.

All other ***terms*** and conditions remain unchanged.

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