Accommodating Ridehailing Platforms in Public Passenger Transport in Jamaica

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EXECUTIVE SUMMARY

This report examines the economic, social and regulatory implications of ride-hailing platforms within Jamaica's public passenger transport sector. The study is motivated by growing public calls regarding safety, fairness and competition arising from the rapid expansion of technology-driven mobility services such as *Uber*, *inDrive*, *Ride Jamaica* and *876OnTheGo*. It evaluates the efficiency and risks associated with the ride-hailing model compared to traditional taxi models and proposes a balanced framework to integrate ride-hailing into Jamaica's transportation landscape.

Key Findings

1. Economic Efficiency

- Ride-hailing platforms significantly lower transaction costs for passengers by reducing search and waiting times, while enabling easy comparison shopping.
- Relative to traditional taxi models, ride-hailing provides the lowest overall opportunity cost and greater market coordination.
- By reducing vertical market fragmentation, ride-hailing operators exercise greater operational control, maintain driver databases, and encourage self-regulation, thereby lowering enforcement costs.
- Ride-hailing also helps correct supply-demand imbalances by flexibly mobilising private vehicles, mitigating shortages in underserved areas, and discouraging excessive pricing.

2. Social Impact

- Labour Standards: Ride-hailing platforms rely on independent contracting, which often shifts risks to drivers while denying them benefits guaranteed under traditional employment. This creates ambiguity in labour rights and taxation.
- Safety: While platforms embed technological safeguards (GPS tracking, SOS functions, ratings), regulatory gaps persist in areas such as insurance, background checks, and liability allocation. Assigning greater accountability to operators, rather than individual drivers, would strengthen risk management.
- Equity and Discrimination: Digital platforms reduce opportunities for fare discrimination and expand accessibility, but concerns remain for low-income populations lacking digital tools.

- Congestion and Environment: Platforms can improve vehicle utilisation and potentially reduce congestion, though unregulated growth may worsen traffic conditions. Real-time data from ride-hailing apps presents opportunities for dynamic congestion management.

3. International Experience

- California, New York, Singapore, China, and Europe illustrate different approaches ranging from new legal categories, stricter licensing, and insurance obligations.
- The principle of regulatory neutrality—neither favouring incumbents nor unfairly disadvantaging innovators—has emerged as a best practice to maintain competition while addressing public interest concerns.

Conclusions

The report concludes that the ban imposed on ride-hailing platforms in 2024 was neither effective nor in the public's interest. Instead, a dual regulatory approach should be adopted: one that preserves the strengths of the sharing economy while safeguarding labour rights, consumer protection, and competition.

Recommendations

1. Introduce a New Labour Classification

Establish a "dependent contractor" category to address the ambiguity between employee and independent contractor in the ride-hailing economy. This would guarantee minimum protection, such as social security, paid leave, and fair wages, while preserving flexibility for drivers to operate across multiple platforms.

2. Adopt a Dual Regulatory Regime for Shared Mobility Service Providers (SMSPs)

Require ride-hailing operators to register with the Transport Authority under a distinct category, separate from traditional public passenger vehicles (PPVs).

Obligations should include:

- Robust driver/passenger databases are accessible to regulators.
- Mandatory safety features in apps (geolocation, reporting tools, driver verification).
- Commercial insurance coverage for all trips, with clear liability frameworks.

- Non-discrimination and safety guidelines, supported by effective feedback and reporting mechanisms.
- Drivers operating without a PPV licence may participate only if registered through an approved SMSP, ensuring accountability without imposing excessive entry barriers.

Implementing these recommendations will:

- Enhance passenger safety and confidence.
- Reduce unfair competition between taxis and ride-hailing operators.
- Support innovation, efficiency, and consumer choice in the transport sector.
- Align Jamaica's regulatory approach with global best practices while addressing local realities.

I. INTRODUCTION

1. Transportation is crucial in modern society. Travelling by land, sea, or air often offers passengers a unique comfort in and of itself. Transportation also facilitates a wider range of leisurely activities, as well as serves as a bridge to essential services like employment, education, and healthcare. In seeking to fill their need for ground transportation, passengers may choose to either secure the means of providing ground transportation for themselves (i.e., private passenger transport) or seek out individuals offering such services (i.e., public passenger transport)—either way, markets have evolved to meet the demand for transportation. For example, markets for passenger vehicles have developed to cater to the demand for private passenger transport or the supply of public passenger transport.

2. For a transaction involving public passenger transport (a 'ride') to take place, the consumer ('passenger') and the supplier ('driver') must be in the same physical location. Passengers and drivers extract greater benefits when the public transportation sector effectively coordinates (or matches) the physical location of passengers and drivers with the greatest efficiency.

3. In the traditional economy, vehicles offering public passenger transport services are generically referred to as 'taxis.' Operators of taxis offer rides through three prominent business models: the Charter model, the Taxi-Stand model, and the Taxi-Hailing model.

4. The Charter Model. In this business model, passengers initiate the ride by calling the taxi operator to arrange for pickup at a specified location and transportation to another location. In the Charter model, therefore, a telephone call is used to coordinate the co-location of the passenger and the driver.

5. The Taxi-Stand Model. In this business model, passengers initiate the ride by visiting designated physical locations ('taxi-stands') where taxi operators are known to aggregate to offer rides. In the Taxi-Stand model, therefore, physical locations (taxi stands) are used to coordinate the co-location of multiple passengers and multiple drivers.

6. The Taxi-Hailing Model. In this business model, passengers initiate a ride by hailing the taxi- i.e., by standing at the side of any road, waving their hand to signal to a passing taxi, and making eye contact with the driver to confirm that the driver is willing to offer the ride. In the taxi-hailing model, therefore, there is no systematic mechanism other than "happenstance" to coordinate the co-location of the passenger and driver.

7. In the United States of America (USA), regulations governing taxi operators typically address motor vehicle standards, fare controls, route restrictions and licensing procedures. While these rules are intended to protect passenger welfare, research by Cetin (2019) suggests that overly stringent regulations may lead to higher fares, decreased service quality and a rise in unregulated taxis.

8. The business models implemented by taxi operators face a range of inefficiencies, often manifested through poor coordination of passengers and drivers. Passengers visit a Taxi-Stand in search of contracting a driver, which may or may not be available at the stand; alternatively, passengers may spend a protracted period hailing a nearby taxi on a street. Economically, every minute spent searching or waiting is valuable time lost — time that could be used for income-generating activities or other productive pursuits. Similarly, drivers spend protracted periods searching for passengers, which reduces their overall productivity. Search and waiting costs create barriers to efficient service provision and may deter passengers and drivers from using the public transportation sector. This paper describes an alternative business model for public passenger transport enabled by the sharing economy ('ride-hailing model').

9. The sharing economy facilitates peer-to-peer provision of goods and services, promoting the efficient use of productive resources – such as land, labour, and capital – that would otherwise remain underutilised or idle. Each fulfilled request by a passenger for a driver is considered a contracted ride enabled through the mobile platform, which operates as a decentralised, peer-to-peer network. This model enhances transparency and efficiency by sharing information about both drivers and passengers.

10. The expansion of the sharing economy in the public passenger transport sector is described as the ride-hailing economy and introduces innovation to the delivery of public passenger transport to the benefit of drivers and passengers. The ride-hailing model involves an online platform (mobile application or website) that allows passengers and drivers to negotiate in advance, contracted rides for an agreed fee determined by mileage and other factors (Mitropoulos et al., 2021).[1] These ride-hailing model falls under the broader category of shared mobility services, an integral part of the sharing economy, transforming otherwise idle assets (vehicles and drivers) into productive resources by matching drivers with passengers.

11. The ride-hailing model reduces the opportunity cost for drivers and passengers, relative to the taxi model, by standardising the terms of trade, providing market information through sophisticated digital interfaces and facilitating payments. Traditionally, many taxi drivers needed to advertise their services or establish one-on-one connections to serve a stable flow of passengers. These promotional tasks are often costly and time-consuming for drivers. The ride-hailing platform serves as a coordinating intermediary, streamlining the promotional tasks and reducing associated costs for drivers. This efficiency encourages greater participation and flexibility in the public transportation sector.

[1] A distinction should be made between ride-hailing and ride-sharing models of public transport service emerging from the shared economy. Ride-hailing involves pre-booked exclusive non-stop contracted rides whereas ride-sharing contemplates accommodates the car-pooling of multiple riders (therefore multiple stops) travelling in the same direction.

Internationally renowned enterprises that participate in the sharing economy include *Uber*, which offers public passenger transport solutions, as well as *Airbnb,* which offers short-term home rental solutions.

12. The Transport Authority of Jamaica ('Authority'), in collaboration with the Jamaica Constabulary Force (JCF), regulates public passenger transport in Jamaica. Perceived deficiencies in the regulatory framework governing public passenger transport, or the enforcement thereof, have been fodder for commentary among various stakeholders in the public transportation sector. The main issues express concern about the illegal use of unregistered public passenger vehicles (PPV) to engage in public passenger transport, in general, as well as concerns for the safety of passengers who use these vehicles.

13. In 2021, the Authority and the JCF seized over 350 unregistered taxis while issuing fines for violations of the Transport Authority Act. Unregistered PPVs drew the concern of the Authority because drivers of these vehicles were often suspected of misconduct, such as overloading vehicles, breaching traffic laws, and frequently failing to observe road safety measures (Hutchinson, 2021).

14. In 2018, concerns arose over registered taxi operators dispatching drivers of unregistered PPVs as part of their fleet (Robinson, 2018). While taxi operators recognised this practice as being illegal, they believed it was necessary to sustain their businesses. Taxi operators also indicated that, although they inspect the vehicles used in their fleet, they acknowledge that standards are not as rigorous as those enforced by the Authority.

15. Taxi operators have expressed concerns about the unregulated expansion of ride-hailing drivers offering public passenger transport. Taxi operators complain that ride-hailing operators do not require their drivers to use registered PPV. As such, taxi operators argue that ride-hailing operators bypass regulatory costs and restrictions imposed on taxi operators, thereby giving ride-hailing operators an unfair competitive advantage over taxi operators.

16. Furthermore, other stakeholders have raised concerns about the ride-hailing model, particularly regarding the safety of drivers and passengers, as well as broader socioeconomic issues. These concerns have led to calls for ride-hailing platforms to be banned in Jamaica, mirroring developments in other jurisdictions. Given that the use of unregistered PPV tends to be higher within the ride-hailing model compared to traditional taxi models, regulatory concerns about the expansion of the sharing economy within the formal economy have intensified.

17. Ministry of Energy, Transport and Telecommunications (METT) advises the FTC that Cabinet, in January 2025, granted approval for the development of a National Ride-Hailing Policy which, upon completion, will provide the framework for ride-hailing operations in Jamaica.[2] Based on the ongoing

[2] Comments in letter dated December 1, 2025, from METT on an earlier draft of this paper.

concerns expressed by stakeholders, policymakers should prioritise regulatory reforms that address: (i) the use of private passenger vehicles to operate public passenger transport; and (ii) the protection of personal safety for drivers and passengers using public transport services.

18. Addressing these issues is critical given the central role of the public transportation sector in supporting the functioning of key areas such as labour, health, education and other social sectors that contribute to broader sustainable development goals.

II. THE SOCIO-ECONOMIC IMPACT OF RIDE-HAILING PLATFORMS

19. Ride-hailing platforms offer benefits that are unparalleled compared to traditional taxi models for public passenger transport. Using technology (smartphones), which is considered commonplace in the modern economy, ride-hailing platforms significantly reduce discomfort faced by passengers seeking public transport, allow for greater accountability on the part of operators on the quality of transport services, as well as orchestrate the movement of vehicles seamlessly to regions where they are most needed by passengers.

A. Lower Transaction Cost

Analytic Framework

20. Transaction costs increase the overall economic costs of consumption above the market price. More efficient business models reduce these opportunity costs, thereby increasing consumer surplus. This section compares the opportunity costs faced by passengers under the different public transport business models. Specifically, it examines (i) the extent to which each model facilitates comparison shopping (an index of transaction price), (ii) the time required to contract a ride (an index of search cost), and (iii) the time it takes passengers to board the vehicle after contracting the ride (an index of waiting costs).[3]

Discussion and Analysis

21. For passengers, the opportunity cost of contracting a ride comprises the transaction price ('fare') of the ride and the transaction cost incurred in contracting the ride. The fare coincides with the pecuniary charges passengers pay to drivers. The transaction cost for passengers coincides with explicit (pecuniary costs) and implicit (non-pecuniary costs) costs they incur when seeking to secure a ride. Common categories of transaction costs include, but are not limited to, search costs and waiting costs.

[3] . The presumption is that the ride-hailing business model, by facilitating comparison shopping, enables passengers to identify and select the lowest fare among providers of the service, *ceteris paribus*.

22. Efficient business models of public passenger transport are best at coordinating the location of drivers and passengers, thereby minimising opportunity costs incurred to contract the ride. Taxi models differ in terms of the relative opportunity cost faced by passengers.

23. The Charter model offers the relatively lowest search costs for passengers among taxi models. The Taxi-Stand model offers relatively low waiting costs since passengers and drivers are in the same physical location when the ride is contracted. Passengers face potentially a relatively high search cost in the Tax-Stand model, however, since it requires passengers to physically relocate to a taxi-stand to contract a ride. Passengers using the Taxi-hailing model experience zero waiting costs, as passengers and drivers are in the same physical location when the ride is contracted. However, they are exposed to potentially high search costs, as passengers would have to relocate to a busy street to improve their chances of identifying a driver to contract a ride. Among taxi models, the taxi-stand model offers the lowest fare to passengers, as it provides the easiest mechanism for passengers to engage in comparison shopping. The taxi-stand model accomplishes this by co-locating multiple competing drivers and passengers in a single physical space, thereby allowing passengers to effortlessly compare multiple competing offers based on fare and non-fare dimensions[4]. The Charter model also allows for comparison shopping but requires passengers to incur greater costs and effort to do so, relative to the taxi-stand model. In the Charter model, passengers must make several calls to facilitate a comparison of as many competing drivers as possible. In the taxi-hailing model, passengers are unlikely to engage in comparison shopping, given the inherent difficulty of identifying available drivers relative to other taxi models.

24. The ride-hailing model outperforms the taxi models because it does a better job of coordinating drivers and passengers, resulting in a shorter time (and therefore lower transaction cost) for passengers to search for a driver and wait for the ride to commence. The ride-hailing model also seamlessly facilitates comparison shopping (and therefore a lower transaction price).[5] The ride-hailing model and the taxi-stand model are examples of a class of economic business models referred to as multi-sided platforms, a business model in which the platform operator facilitates the interaction of different groups of users (or sides) of the platform. The taxi-stand model uses a physical platform (the taxi-stand) to encourage the interaction of one group of users of the stand (i.e., drivers) with another group of users of the stand (i.e., passengers). The ride-hailing model performs the identical task using a virtual platform (the mobile app) rather than a physical platform. The app facilitates interaction between drivers and passengers who have installed it.

[4] Non-price dimensions include the aesthetics of the vehicle and the availability of free wi-fi connection.
[5] See (Rogers, 2017).

25. **Comparing the Ride-hailing and Taxi-Stand Models**. The ride-hailing model offers lower transaction costs for passengers compared to the taxi-stand model. In the taxi-stand model, passengers must incur the search costs by physically travelling to a taxi stand to contract a ride. In contrast, the ride-hailing model allows passengers to book a ride using only a mobile device and internet access, thereby reducing the time and effort required.

26. **Comparing the Ride-hailing and Taxi-hailing Models.** The ride-hailing model offers both lower transaction prices and fewer transaction costs for passengers compared to the taxi-hailing model. In the Taxi-hailing model, passengers incur the attendant search cost of visiting a relatively busy street and waiting to find a suitable driver to contract a ride, whereas in the ride-hailing model, passengers do not have to travel to any physical location or wait to contract a ride. Furthermore, in the taxi-hailing model, passengers are expected to pay a higher fare due to limited opportunities for comparison shopping; in contrast, comparison shopping is an inherent feature of the ride-hailing model.

27. **Comparing the Ride-hailing and Charter Models.** The ride-hailing model offers a lower transaction price and fewer transactions for passengers compared to the charter model. In the Charter model, passengers incur the attendant cost of waiting for the arrival of a driver once the ride has been contracted (over the phone), whereas in the ride-hailing model, passengers typically would not wait as long on (bigger) ride-hailing platforms. Further, in the Charter model, passengers are expected to pay a fare higher than the competitive level due to the greater effort required for comparison shopping, relative to the ride-hailing model.

28. A comparison of the four business models is presented in the table below.

Table 1. *Ride-hailing Model Delivers Public Transportation at the Lowest Opportunity Cost*

Business Model	Transaction Price	Transaction Cost	
	Lower Fare	Lower Search Cost	Lower Waiting Cost
Charter	×	✓	×
Taxi-hailing	×	×	✓
Taxi-Stand	✓	×	✓
Ride-hailing	✓	✓	✓

Section Summary

29. Accordingly, ride-hailing offers a relatively more efficient model for public passenger transport. It provides passengers with a more convenient (shorter search and waiting times) and competitive option to contracted rides, relative to taxi models.

B. Reduced Fragmentation

Analytic Framework

30. Vertical market fragmentation increases the cost of regulatory enforcement activities as well as diminishes the quality of (downstream) goods and services. Reducing market fragmentation reduces the cost of regulating markets and improves the opportunity for greater variety, higher quality products, and thereby increasing consumer and producer surplus in the process. This section compares the incidence of vertical market fragmentation in the various business models of public passenger transport by examining the extent to which operational control is exercisable by (upstream) model operators and (downstream) drivers.

Discussion and Analysis

31. Vertical fragmentation describes a scenario where different segments of the production process occur externally, often involving the outsourcing of operational functions (McFetridge & Smith, 1945). The taxi models used in the public passenger transport market are highly fragmented. This is evident as some taxi operators purchase vehicles and recruit drivers informally, often outside the formal regulatory framework. This practice results in a market where operational control is decentralised.

32. The operator in a taxi model owns a duly registered public passenger vehicle (PPV). To offer public passenger transport using the PPV, the operator often recruits drivers who lack the proper license to transport public passengers and do so without a formal (written) contract of employment. This vertical fragmentation of the taxi models in the delivery of public passenger transport is facilitated by a regulatory regime that neither requires the owner (operator) to drive the PPV nor for the owner to formally contract the driver employed to transport passengers.

33. In contrast, ride-hailing operators establish written contractual arrangements with verified drivers and maintain databases that support driver verification, allowing the operator more opportunity to impose vertical restraints (operational control) on the driver.

34. Market fragmentation can disproportionately affect certain regions, particularly those with limited transport infrastructure or those reliant on specific transport modes. A fragmented market may lead to a decline in the quality and reliability of transportation services, including longer waiting times, fewer trips on a given route, and reduced availability of certain transportation options. As the sharing economy

expands in more geographic markets, it extends to different sub-markets, such as tourist area tours and daily transportation. As a ride-hailing platform expands its user base, it captures a larger share of passengers and partners with other transportation service providers, catering to a wider range of needs and preferences. By connecting passengers with drivers, optimising routes, and facilitating payments, a ride-hailing platform offers an alternative to taxis and private car ownership, ultimately impacting how people move around.

35. Additionally, the development of extensive passenger databases by ride-hailing platforms supports self-regulation; however, market fragmentation often hampers effective self-regulation, necessitating government intervention, which incurs administrative and enforcement costs. In many contexts, self-regulation and corporate responsibility prove more efficient than public regulation, as ride-hailing platforms can develop internal accountability frameworks to ensure compliance with laws and regulations, ultimately advancing passenger welfare.

36. Increased consumer choice is a primary feature of competition, typically resulting in lower prices and higher quality goods and services. Transportation choice refers to the availability and suitability of various travel options for individuals or groups, considering their specific needs and preferences. An increase in diverse transportation modes empowers consumers to make more informed and suitable decisions about their mobility, which can positively influence service quality and overall system efficiency.

Section Summary

37. Operators of ride-hailing models have greater operational control over drivers than operators of taxi models do. Since the ride-hailing model is less vertically fragmented than taxi models, it offers greater opportunities to reduce the cost of regulations (through greater reliance on self-reliance strategies). It also increases the opportunities for public passenger transport to be offered in more geographic regions (sub-markets) to the benefit of passengers.

C. Mitigating Demand/Supply Imbalance and Disciplining Excessive Pricing

Analytic Framework

38. The influx of unregulated vehicles engaged in public passenger transport continues to occupy the attention of regulators–as it should. To explore ways to address the public's concerns, the paper examines the motivation behind such conduct using the economist's framework for rational decision-making processes. Economists argue that an individual will decide to take an action only if there is an

incentive and an opportunity for them to do so.[6] To discourage an individual from taking an action, therefore, it is therefore sufficient to remove either the incentives or opportunities to take such an action.

Discussion and Analysis

39. From the perspectives of economists, this phenomenon persists because drivers of unregistered vehicles continue to have adequate opportunity and incentive to engage in public passenger transport. Regulators' attempt to address the issue has focused on limiting the opportunities for such conduct. Although this phenomenon is also seen in taxi models, the ride-hailing model has blurred traditional boundaries between private passenger vehicles and public passenger vehicles. Regulatory measures to address this issue included a one-year ban on ride-hailing platforms effective June 2024. These efforts have not been effective, as ride-hailing platforms continued to operate in Jamaica using unregistered vehicles during the period when the ban was in place. Exploring the incentives for using unregistered vehicles offers a different approach to crafting a workable solution to this problem.

40. As a result, accommodating the ride-hailing and taxi business models provides passengers with options more suited to their needs and preferences.

41. There are numerous sub-markets for public passenger transport in Jamaica. These sub-markets may be delineated by temporal boundaries (time of the day; day of the week; month of the year; etc.) or by physical boundaries (town, city, parish, urban, rural, etc). Drivers of private passenger vehicles have adequate incentives to engage in public passenger transport in sub-markets when there is a shortage of registered public passenger vehicles, since passengers would be willing to pay higher fares to contract a ride, and the marginal cost is negligible for a private motor vehicle to enter and exit markets for public passenger transport.[7] Furthermore, since an unregistered private vehicle can be used to enter and exit the public passenger transport market instantaneously, it is also true that drivers of private passenger vehicles have incentives to enter and undercut prices in sub-markets where the going fare rises above competitive levels.

42. An important issue to note under these conditions is that the participation of private vehicles in public passenger transport offers significant value to passengers (shorter waiting or searching times or Lower fares) in sub-markets where there is a shortage of registered public passenger vehicles or in sub-markets where the fare is excessively high. These benefits accrue to passengers, however, to the extent that

[6] Economists contends that Individuals have an incentive to take an action whenever the marginal benefit of taking the action exceeds the marginal cost of doing so.

[7] Assuming that the implicit cost of participating in an illegal activity is insignificant for drivers and passengers.

private passenger vehicles can easily enter and exit any sub-market for transport, i.e., enter quickly and with negligible marginal economic costs.

43. This insight on the incentives for private vehicles to illegally participate in public passenger transport markets offers policymakers a different approach to addressing the issue. A Pareto-efficient strategy to address the issue would be for policymakers to create a pathway to legalize the participation of private passenger vehicles without increasing the marginal cost or the time taken to enter or exit the sub-markets. Such a strategy would reduce the participation of private vehicles in public passenger transport while maintaining the significant value their participation facilitates for passengers in various sub-markets currently underserved by registered public passenger vehicles. Crafting such a Pareto efficient strategy would necessarily rule out imposing on private vehicles the same requirements that taxi operators face when registering public passenger vehicles. Indiscriminately imposing these requirements on drivers of private vehicles would eliminate potential benefits to passengers by delaying the timing and cost of entry of private vehicles in various transport sub-markets where there is an imbalance between demand and supply of public passenger transport services.

Section Summary

44. Stakeholders have been voicing concerns about the use of unregulated private vehicles engaged in public passenger transport. Strategies aimed at addressing this concern have focused on limiting the opportunities for such occurrences. These strategies have largely been ineffective. An examination of the incentives for the phenomenon suggests that providing a pathway to legalise the use of private vehicles in public passenger transport, rather than an outright ban, is likely to be of more benefit to passengers in transport sub-markets where the fleet of registered public passenger vehicles is inadequate to satisfy the demand in those sub-markets.

III. THE IMPACT OF RIDE-HAILING PLATFORMS ON SOCIAL SECTORS

45. The sharing economy is a business model that disrupts lives and livelihoods– for better and for worse. As such, it is necessary to ensure that the potential adverse outcomes from this disruption do not overshadow the potential benefits of this business model.

46. It is crucial to recognise the potential for the sharing economy to self-correct through market forces and technological innovations, while actively engaging key stakeholders in shaping socially responsible policies. Striking a regulatory balance between fostering innovation and embedding social safety nets can help orchestrate an equitable, safe, and sustainable expansion of the sharing economy in the public transportation sector. Such an approach benefits not only labourers (drivers) and consumers (passengers) but also fosters competition among business model operators (owners) in the public

transportation sector, which supports greater societal goals. Implementing an informed, accommodating regulatory framework in the public transportation sector sets a benchmark for sustainable economic growth and social inclusion in the wider economy.

A. The Labour Sector: Labour Standards

47. The ride-hailing economy employs a business model in which drivers are contracted for on-demand work. This model emphasises temporary and flexible labour arrangements. Ride-hailing operators contract drivers through digital platforms, with drivers usually classified as independent contractors. While operators engaging the ride-hailing economy claim to integrate drivers into the formal sector, many contracted drivers remain in the informal sector without access to social security or employment benefits. Contracted drivers remain in the informal sector because the information collected by ride-hailing operators often relates only to the owner of the vehicle registered to transport passengers and not necessarily the driver of the vehicle. This raises questions about the labour rights of individuals working in the sector (Dosen & Graham, 2018). Ultimately, the primary concern in this regard is that the ride-hailing economy shifts the economic and legal risks associated with employment entirely onto the drivers, avoiding employer responsibilities enshrined in the formal economy.

I. Labour Classifications

48. Several scholars characterise the ride-hailing platforms as a marketplace model, where ride-hailing operators serve as facilitators that enable individual microbusinesses—namely, drivers—to offer services directly to passengers. In the broader context of the sharing economy, these platforms function primarily as coordinating intermediaries that connect supply-side users (e.g., drivers) with demand-side users (e.g., passengers). Unlike traditional taxi models, however, drivers in the ride-hailing model are best described as independent microbusiness owners who operate their own vehicles and set their own schedules. Recognising this distinction is crucial, as it shifts regulatory focus away from conventional employment classifications toward new approaches tailored to the unique nature of platform-mediated microbusinesses. This perspective underscores the importance of developing innovative policies that address workers' rights, income stability, and platform accountability within the decentralised, flexible work arrangements of the sharing economy.

49. To understand the relationship between drivers and operators in the ride-hailing economy, it is important to first consider the legal framework underpinning current labour classifications. This is essential as these definitions determine the scope of the employment relationship under the applicable Acts. The *Employment (Termination and Redundancy Payments) Act* (referred to as "the Employment Act") defines an employee as an individual who has entered into, or works under, a contract, whether

for manual labour, clerical work, or otherwise. This contract may be expressed or implied, oral or written. However, the definition explicitly excludes individuals employed by the Government or by any Parish Council.

50. Further guidance can be found in the *Labour Relations and Industrial Disputes Regulations and Code*, which defines a "contract of employment" as either a contract of service or apprenticeship, regardless of whether it is oral, written, express, or implied. An "employer" is defined as any person for whom one or more workers are currently working, have worked, usually work, or are seeking to work.

51. An employment relationship established through a contract of employment carries various rights and obligations for both the employee and employer. Employees are expected to perform services as directed by the employer, as outlined in the contract. In contrast, independent contractors operate their own businesses and retain control over how their services are delivered. They are not subject to the same level of direction and are typically free to set their own working hours, including the ability to work seven days a week—flexibility not generally afforded to employees. As such, independent contractors are normally considered economically independent workers. A reasoning that is fortified by independent contractors' ability to hire their services to different players in the same industry, including competitors.

52. Under this legal framework, employees are entitled to several benefits, including paid vacation, public holidays, maternity and sick leave, severance and redundancy payments, wages or salaries, and overtime pay, where applicable. Employers are also obligated to make statutory deductions. By contrast, independent contractors are not entitled to such benefits. Independent contractors are responsible for managing their tax obligations and do not receive severance or leave entitlements. The employer's responsibilities are significantly reduced in the case of independent contracting arrangements.

53. In distinguishing between an employee and an independent contractor, courts may initially look to the terms of the written agreement between the parties. However, the substance of the working relationship often overrides the contract's language. Courts typically consider a range of factors, including:

    b. Whether the employer sets the working hours and conditions.
    c. Which party provides tools, equipment, materials, etc..
    d. Whether the worker receives training from the employer.
    e. Whether the worker is required to follow detailed instructions or manuals.
    f. Whether the worker has the authority to hire assistants or substitutes.
    g. Whether the worker assumes any financial risk or has invested in the business; and
    h. Whether the worker exercises any degree of managerial control.

    These factors help determine the true nature of the relationship, which is critical in assessing the correct employment classification.

54. These factors of consideration are similar to the tests employed by the courts of the United States of America (USA) in determining the scope of the relationship between employer and employee/independent contractor. The two tests conducted in this jurisdiction are the Common Law Control Test and the Economic Realities Test. Within the Common Law Control Test, courts are required to consider the level of control that was exerted by the employer over the employee. That is, the Control Test focuses on whether the employer controls not only the results of the work done, but also the methods and details of how it is done.

55. In the USA, the federal court may instead implement the Economic Realities Test when determining the nature of the employment relationship. This considers many more factors than the control test to determine whether the worker is subordinate to the employer's business or if they are in business for themselves. These factors include:

a. The extent to which the work performed is an integral part of the employer's business.
b. The worker's opportunity for profit or loss depends on his or her managerial skill.
c. The extent of the relative investments of the employer and worker.
d. Whether the work performed requires special skills and initiative.
e. The permanency of the relationship; and
f. The degree of control exercised or retained by the employer.

I. A Comparison of the Requirements of Operators of Ride-hailing Models and the Authority

56. The requirements for platform operators and the Authority differ significantly regarding structure, regulatory oversight, and operational expectations; they share, however, some common safety and documentation goals. These differences highlight the contrast between the ride-hailing business model and traditional business models, as well as the economic realities and control associated with both.

57. The Authority is governed by the Road Traffic Act and Road Traffic Regulations, 2022, which provide a detailed regulatory framework for all forms of public passenger vehicle (PPV) operations. Vehicles operating under the Authority must meet specific fitness and licensing standards. A Certificate of Fitness is mandatory for registration and licensing, requiring in-person vehicle inspections and compliance with design specifications such as height, weight, fuel type, seating capacity, safety equipment (e.g., grab handles, non-slip steps, pneumatic tyres), and mechanical features. Certificates for PPVs are valid for only six months, reflecting a need for more frequent inspections compared to private passenger vehicles.

58. Each PPV category—Route Taxi, Hackney Carriage, Rural Stage Carriage, Express Carriage, and Contract Carriage—has distinct licensing requirements, including vehicle markings, seat capacities, colour codes, fare information, and detailed identification protocols for drivers. Route Taxis, for example, must have

Transport Authority stickers, specific signage, electronic tracking devices, and a colour-coded checkered design, while Express and Contract Carriages require formal contracts and route approvals. All PPVs must carry red license plates with white lettering and satisfy documentation needs, such as pertinent information for the owner of the registered PPV, such as (i) tax registration number (TRN); (ii) police records; (iii) proof of address; (iv) personal national identification. Penalties for non-compliance include fines or imprisonment, emphasising the Authority's strict enforcement approach.

59. In contrast, drivers registered with ride-hailing model operators such as *Uber*, *InDrive*, *Ride Jamaica*, and *876 on the Go* operate under private agreements with the respective operators, offering greater flexibility but with less centralised regulatory oversight than vehicles registered with the Authority. The basic requirements to drive with a ride-hailing model operator include a valid Jamaican driver's license, vehicle registration and insurance, and identity verification. Some platforms, such as *InDrive*, also require police reports. While these platforms do incorporate safety features—like in-app GPS tracking, SOS buttons, and "ride-hailing with contacts"—they rely largely on information technology and customer feedback (e.g., driver ratings) rather than rigorous physical inspections or uniform vehicle standards. Once approved, drivers registered to a ride-hailing model operator can accept rides from subscribers to the app owned by the operator.

60. Some ride-hailing model operators, like *Ride Jamaica* and *876OnTheGo*, integrate more formal standards by partnering with Authority-certified drivers or encouraging PPV licence upgrades. However, vehicles that participate in the ride-hailing economy are not uniformly subject to the same inspection frequency as vehicles registered with the Authority.

61. The Authority's approach to ensuring passenger safety and service reliability is fundamentally different from the approach of ride-hailing model operators. The Authority emphasises physical inspections and structured routes. Ride-hailing model operators, however, focus on digital efficiency, user experience, and driver autonomy. This divergence creates regulatory gaps in the oversight of the operators of the ride-hailing business model and traditional business models, particularly regarding the enforcement of vehicle standards, licensing uniformity, and insurance coverage. Some operators of the ride-hailing model, such as 876OnTheGo, attempt to bridge this gap by aligning their requirements with the expectations of the Authority; however, a fully integrated regulatory framework encompassing ride-hailing and traditional business models remains a work in progress.

62. While the Authority and ride-hailing model operators offer some meaningful measures of oversight of drivers who serve public passengers in Jamaica, the Authority mandates comprehensive, legally enforceable standards, whereas ride-hailing operators instead prioritise flexible, information technology-based operations and facilitate a peer-to-peer marketplace, taking on the responsibility of

collecting and distributing payments, offering a percentage as commission payment to the drivers. Ride-hailing operators create a space for drivers to provide their services, provided they comply with the minimum standards for private vehicle/driver licensing, as well as driving in Jamaica. This reduces the controlling relationship that may be associated with the Authority's regulation of traditional business models, providing the main foundation for ride-hailing operators' main marketing strategy to drivers of "flexible employment."

63. In some instances, ride-hailing model operators are responsible for setting fares that fluctuate based on various factors. Ride-hailing operators use the fares to cover expenses attendant to the business model, such as commissions paid to drivers. Other expenses may include platform insurance, Research and Development, technology development, passenger acquisition costs and other employee/infrastructure needs, with a large percentage of the revenue contributing to the platforms' profits.

II. Cases and Policy Implications of Classifying Ride-hailing Drivers as Employees vs Independent Contractors

64. Globally, ride-hailing platforms are facing increased legal scrutiny over their labour practices. In the state of California in the USA, the *Uber* and *Lyft* platforms are being sued for committing wage theft by wilfully classifying drivers as independent contractors instead of employees.[8] It was argued that this alleged misclassification deprived drivers of basic rights under California labour law. Furthermore, in October 2016, an employment tribunal held that a group of Uber drivers, supported by their union, are not self-employed but are 'workers' who are entitled to workers' rights. The ride-hailing operator appealed to the Supreme Court, arguing that it only acts as an intermediary, providing booking and payment services, and that the drivers transport passengers as independent contractors, as stated in the terms of the contract. However, the Court of Appeal noted that it had the authority to disregard the terms of a contract if they did not reflect the actual nature of the relationship, as was the decision of the Court in [2021] ICR 657.[9]

65. There have been many other reports of unfair treatment of drivers, with alleged misclassification of their employment relationship with platform operators leading to drivers being exempt from protections under traditional labour law. Rideshare drivers often claim that the platform operators remove the possibility for negotiating wages by setting trip prices and continuously decreasing the rate at which

[8] Labor Commissioner's Wage Theft Lawsuits against Uber & Lyft. (2024). *Department of Industrial Relations*. Retrieved 2025, from https://www.dir.ca.gov/dlse/Lawsuits-Uber-Lyft.html.
[9] Uber BV & Ors v Aslam & Ors [2021] UKSC 5 (19 February 2021)

drivers are paid per trip while increasing the providers' take of the revenue. Misclassification of employees as independent contractors can lead to drivers being deprived of their necessary workplace rights and protections.

66. The issue also impacts other stakeholders. Governments lose tax revenue when workers are misclassified, and compliant businesses face unfair competition from ride-hailing platforms that bypass the attendant costs of meeting labour and tax obligations.

67. Ride-hailing operators argue that flexibility, a core trait of independent contracting, benefits drivers. In numerous court cases, operators have argued that drivers can work flexible schedules and are not obliged to accept rides from passengers. However, operators like *Uber* detail in their handbook that drivers are expected to accept all ride requests, with the possibility of termination if too many are declined. This adds a sense of control over the drivers that is akin to traditional employment. Additionally, the user-rating systems and performance monitoring may function as indirect enforcement tools, acting as tangible nudges to drivers to comply with company guidelines and standards.

68. Court cases and legal arguments around the world have been trying to tackle the idea of the legally accurate classification of these services. However, there are many economic implications to either classification.

69. Platforms are not designed to fulfil the obligations of traditional employers. These platforms are created as a peer-to-peer marketplace; they create a space which facilitates transactional collaboration. It is possible that imposing the obligations of the labour classifications on the platforms will lead to a collapse of the business model, driving the platforms out of the market or compelling them to relinquish efficiency-enhancing control measures.

70. Larger platforms may be able to bear the burden of the additional obligations which come with classifying the drivers as employees, but this may not hold for smaller businesses within the market. Pushing platforms to comply with traditional labour and transport law may pose a barrier for less established businesses to enter the market, operate efficiently and innovate, thus reducing competition in the market.

71. The increased availability of transportation services made possible by platforms benefits many sectors of society. This benefit can be seen especially in lower-income communities. In the face of inefficient public transport, platforms make transportation more accessible to individuals who would usually be limited by a lack of vehicle ownership due to limited spending power. Additionally, low-income individuals with access to vehicles will also be allowed to maximise the use of these assets by joining the platforms as drivers. Thus, it stands to reason that the breakdown or alteration of Ride-hailing services through the strict classification of these services under labour law and the compliance of the services to

traditional transport standards is likely to harm low-income individuals. (McCabe, 2016 & Izvanariu, 2016)

72. Though early signs point to the possibility of ride-hailing operators making attempts to neglect the labour rights of their contracted workers, as is seen by the aforementioned lawsuits and providers' habit of acting unilaterally towards drivers, the platforms' consolidation of the sector may create opportunities for drivers to force better standards through collective action (Rogers, 2017). This was demonstrated in the case of *Uber BV vs Aslam.* Collective action for drivers may prove easier because of the necessity of driver literacy for the operation of the platform.

73. Additionally, the structure of Uber's platform makes unionisation and collective bargaining challenging, as drivers are spread across cities and hindered by Uber's real-time pricing algorithms that dissuade collective actions like strikes (Kuttner, 2013; De Stefano, 2016). This collective action is made more possible when there are general and unambiguous guidelines about labour and industrial relations written by state bodies. These guidelines may dictate employment status based on the extent of control the employer has over the job in question. In pursuit of collective action, drivers would have to appeal to regulators and/or platform operators and advocate for an environment where risks and rewards are balanced favourably, as these providers compete for drivers.

74. Many researchers have acknowledged that the evolving nature of work has long graduated from the binary system of labour classification (i.e., employee or independent contractor) due to the change in control and ownership afforded to workers by the new technologies. There have since been numerous calls for the creation of a third classification that addresses the concerns associated with jobs in the sharing economy.

75. To address the ambiguities surrounding the classification of gig and platform workers (ride-share drivers), it is important to develop a comprehensive legal framework that distinguishes between employees, independent contractors and a new classification of workers tailored for the sharing economy. This framework may incorporate established tests across jurisdictions, such as the Control Test and the Economic Realities Test, to provide clarity on the nature of the working relationship. Clear criteria should determine automatic classification in specific scenarios, ensuring that workers receive appropriate protections and obligations are delineated. Such legislation will foster legal certainty, protect workers' rights, and provide a solid foundation for regulatory enforcement.

76. This specialised classification should balance the need for flexibility with the provision of fundamental employment protections and the establishment of control over contractor behaviour. This new category would grant workers access to social security benefits, minimum wages, and paid leave, while preserving their ability to work across multiple platforms and set flexible schedules. Benefits of such a classification

include increased job security and social protection without unduly restricting the flexible nature of this type of work, creating a standard for employment within the sharing economy that supports competition. Legislative amendments and regulatory guidelines will be necessary to operationalise this new category, ensuring that it is adaptable to evolving work arrangements.

B. Safety and Risk Allocation

77. Safety remains one of the main social concerns associated with the expansion of the sharing economy in the public transportation sector. In June 2024, the Minister of Science, Energy, Technology and Transport, presumably motivated by an increase in public safety concerns, recommended an immediate ban on Ride-hailing platforms. In an article published by the *Daily Gleaner*, the Minister revealed that the Police expressed security concerns related to the emergence of ride-hailing platforms, such as a lack of criminal background checks and proper insurance coverage (Campbell, 2024).

78. The *public interest theory* of regulation suggests that in the face of market failure, government intervention through regulation seeks to protect consumers from structural problems. As such, the theory plays a crucial role in addressing the main security concerns related to the transportation market. Over the past decade, various social and technological innovations have significantly improved living standards and enhanced the diversity, quality, and safety of products available in the market. The regulations created to address safety concerns in the transportation market were not established with these innovations in mind. Instead, they were established to solve the issue of a straightforward taxi service in a physical market where people meet on the road to conduct their transactions or make calls to charter the service. The evolved services have grown well past the requirements of these regulations, already correcting some of the concerns with technology embedded within the new business models.

79. The sharing economy introduces an innovative way to conduct business within the public transportation market, allowing rides to be contracted online with multiple information and communication technologies. For this reason, regulations addressing safety concerns regarding public transportation need not be uniformly applied across ride-hailing and traditional business models. If the same regulations are applied in the transportation sector, regulators may fail to extract the potential benefits of the sharing economy.

80. Stemler (2016) presents a traditional method of regulating risk in the public transportation sector, requiring individual, commercial insurance coverage. This poses distinct challenges in the context of the sharing economy. When multiple parties are involved in facilitating the use of a shared asset, it becomes unclear who should bear the responsibility for insuring against potential liability: the asset owner (the driver), the ride-hailing operator, or the end user (the passenger). Additionally, if the asset owner is using

what was once a personal asset for commercial purposes, it's uncertain whether standard insurance policies will still provide adequate coverage. It may even be considered that the commercial use of a vehicle insured for private purposes may be regarded as insurance fraud. In the event of an accident, drivers may feel inclined to deceive the insurer by claiming that they were driving for personal reasons.

81. In this case, the regulatory goal of effective risk allocation can be achieved by placing obligations on the ride-hailing operator. Many operators are already voluntarily offering insurance for platform-related liabilities and activities. In this scenario, the operator takes on the role of a lessor – a person who leases or lets a property to another. In this case, the rides conducted by drivers are considered "vehicle leasing." Akin to a landlord or rental car company, the operator uses a Lessor's Risk Insurance to manage liability and provide protection during leasing with a driver through the platform. This coverage is automatically activated when the lessor partner (driver) accepts the ride request through the platform and deactivated when the ride is completed or cancelled.

82. The insurance covers third-party liability and personal accidents. Third-party liability is an individual's legal responsibility to compensate for the damages or injuries that may be caused to others (third parties). The third party may be other individuals (including passengers) — in the case of death or injuries — or third-party property, such as other vehicles or public road structures. Where a driver is at fault during a platform-requested ride, the third-party liability covers the costs of the third-party damage or injury, subject to the applicable policy limit. Personal Accident coverage, on the other hand, covers occupants of the vehicle during a platform-requested drive. Coverage includes death, permanent loss of a limb, and medical expenses, subject to the applicable policy limits.

83. This coverage does not apply to rides requested through the ride-hailing platforms and accepted by commercial drivers, i.e., drivers licensed to operate for-hire vehicles, limousines, delivery vehicles, or traditional public passenger vehicles. Commercial drivers are required to have commercial insurance that complies with local regulations. In the event of an accident, passengers are encouraged to request proof of insurance from the taxi driver, and all related claims should be submitted to the taxi's insurance company. Likewise, all drivers must have personal automobile insurance with their chosen insurance company, meeting the minimum limits, and provide proof to operate on the platforms (in addition to the commercial coverage offered by the platform). This personal insurance covers the drivers while they are offline.

84. Regulation could go further by requiring platforms to mandate that passengers report any accidents arising from commercial activity. This is already recommended by major ride-hailing platforms, which have created specific tabs and features in-app for users to submit reports. Additionally, major platforms allow passengers to view and share certificates of insurance with friends and family when a drive is

contracted. This could also be a mandatory regulation for ride-hailing platforms. These structures would help eliminate incentives for insurance fraud and support a transparent framework for law enforcement and passengers. Any additional costs to the platform could be absorbed through adjustments to its fee or commission structure, allowing the market to allocate risk more efficiently.

85. Fraud prevention and user safety remain critical concerns for policymakers overseeing the ride-hailing economy. However, rather than imposing complex and resource-intensive compliance requirements on individual supply-side users (drivers), a more effective regulatory approach would be to assign non-delegable responsibilities directly to the ride-hailing operators. By making ride-hailing operators legally accountable for vetting participants, inspecting shared assets, and overseeing supply-side behaviour, proactive risk management is encouraged at the point of greatest leverage. Platforms are uniquely positioned to conduct these oversight functions efficiently and at scale.

86. One way *Uber* ensures passenger safety is by conducting “rigorous screening and background checks” on drivers. Policymakers may outline the background checks required from these platforms and the infractions to be verified. For example, in the USA, to pass Uber’s screening test, drivers may not have any of the following:

    a. Driving under the influence (DUI) or other drug-related driving violations,
    b. severe infractions, hit and runs, or fatal accidents,
    c. history of reckless driving,
    d. violent crimes,
    e. sexual offences,
    f. gun-related violations,
    g. resisting/evading arrest, or
    h. driving without insurance or a suspended license charge in the past three years.

87. Additionally, the Authority may stipulate that drivers registered with these providers must hold a license, private or otherwise, for at least one year. This allows for a standard to be set for the safety requirements of drivers, while putting the responsibility for maintaining these safety requirements in the hands of the platform operators.

88. In addition, holding platforms accountable for maintaining secure, transparent, and accurate feedback systems would reduce the risk of manipulation or data breaches. Robust feedback mechanisms are a cornerstone of what has become known as "modern trust"—a self-regulating force that enables passengers to make informed decisions, reducing the need for traditional licensing regimes or state-issued credentials. This can be observed even in other sectors within the sharing economy. A prospective guest on Airbnb, for example, is unlikely to book a stay with an unrated host. Instead, consumers rely on

the cumulative experiences of prior guests to assess trustworthiness and safety—an organic form of regulation driven by community input.

89. This modern trust is even more supported by the safety features that are often built into the platforms. These safety features include geo-location services that allow you — and a family member or friend of choice — to track your trip, 24-hour reporting functions, driver and drive verification, and access to emergency calls through the app. These safety features create a sense of security for both passengers and drivers by providing them with tools to protect themselves during the ride. This supports consumer protection and increases consumer trust in public transportation while giving ride-hailing operators room to innovate and compete against operators of other business models for passengers.

90. Safety concerns significantly impact women's travel choices (Meshram et al., 2020), as their perception of security—whether travelling alone or with others—often influences their mode of transport. Women's vulnerability to victimisation in public spaces frequently results in altered travel behaviours, affecting their transportation decisions (Meshram et al., 2020). Research indicates that women are generally less inclined to drive alone over long distances. This may explain the high rates of public transport usage among women in rural areas.

91. Transportation challenges faced by women include their decision-making capacity in travel arrangements, the availability of transportation options and safety concerns. This may reflect a positive attitude towards ride-hailing options, as the process of driver selection increases the autonomy of the individual initiating the ride rather than leaving that selection up to chance. The process offers a system of passenger-driver feedback, allowing passengers using the ride-hailing platform to speak out and make informed decisions by reviewing previous feedback made about a driver or passenger when accepting a ride. This framework that encourages autonomy and feedback also contributes to safety for other vulnerable groups, including children, the disabled and the elderly.

92. To ensure the integrity of these feedback systems, policymakers should encourage or require platforms to implement the following best practices:

    a. Standardised rating systems that include qualitative (written) and quantitative reviews (such as that of a 5-star rating mechanism),
    b. Meaningful opportunities for users to respond to feedback,
    c. Moderation mechanisms to remove inappropriate or unfair reviews, like Airbnb's existing protocols,
    d. Algorithmic tools to detect and prevent fake or coordinated reviews and
    e. Continuous feedback review by platform operators and/or keyword identification mechanisms to automatically detect negative feedback that needs to be investigated.

93. By focusing regulatory efforts on platform accountability and feedback integrity, policymakers can help foster a safer, more transparent, and self-regulating sharing economy without stifling innovation or overburdening individual participants. This enables criminal law and civic engagement to collaborate and serve as an effective deterrent to assaults and other threats to passenger safety. The possibility of identifying assailants is higher due to the robust databases that ride-hailing platforms maintain, which supplement the measures already taken to locate persons of interest in any criminal investigation. Furthermore, self-regulation and corporate responsibility also enable ride-hailing operators to position themselves to appeal to the public and policymakers, thereby continuing to operate and build a strong customer base. As such, enforcing safety standards and disciplining bad behaviour will be more encouraged.

C. Social Discrimination

94. Another social concern related to the ride-hailing economy is the possibility of discriminating against vulnerable groups. A major concern related to discrimination is the possible reluctance of drivers to serve passengers from low-income regions. It can be speculated that operators in the traditional economy would be more likely to pick up passengers in these regions. However, based on the platforms' features, which include reporting mechanisms, passengers will be able to report instances where they believe the service is rejected due to discrimination against their location. The platforms' features also include report generation, allowing users to obtain reports detailing driver activity. Accordingly, platform operators may review trends that indicate instances of likely discrimination, thereby increasing their level of accountability.

95. In their examination of 'pro-poor' subsidies in Colombia, Guzman & Oviedo (2018) Noted that increasing access to transportation continues to be limited in Latin America and the Caribbean because of financial capacity in both the demand and supply sides of the market. In areas with low car ownership rates, public transit becomes the primary transportation mode, but fares often exceed the consumer's budget due to fare structures designed to fully compensate for operational costs.

96. Mehrab Ashrafi et al. (2020) argue that the ride-hailing model reduces costs and enhances travel convenience for both drivers and passengers, largely because of the flexibility and efficiency offered by information technology-based platforms. Their study found that "consumers' trait of personal innovativeness positively impacts the behavioural intention of using ride-hailing services," highlighting the importance of digital literacy and security features in the adoption of these technologies. Such features facilitate active information exchange, provide seamless access to shared vehicles, and enable instant availability of ride-hailing services through geolocation technology on smart devices (Teubner

and Flath, 2015; Dills & Mulholland, 2018). Nevertheless, with urban poverty as a socioeconomic factor influencing the adoption of services in the sharing economy, the study does not adequately examine the effectiveness of platform services among populations lacking reliable devices and telecommunication services to support these solutions.

97. The ride-hailing model is perhaps the best model to address concerns about discrimination along various socio-economic dimensions. For example, there is a long history of documenting the reluctance of operators of traditional models to carry school children, often negotiating higher fares for their passage. For ride-hailing platforms, where fares are set beforehand and consumer data revealed to drivers is limited to passengers' names, there is little room for ride denial based on socioeconomic characteristics. Not only is there less opportunity for drivers to deny serving any socioeconomic class, but the structure of platforms also contributes to more accessible transportation for individuals who are disabled, immunocompromised, and/or elderly, especially as many of the ride-hailing service providers have taken steps towards incorporating features into their vehicles to assist with the transportation of these categories of passengers. Consider the COVID-19 pandemic and its threat to individuals nearby; individual rides contracted by passengers create a safer space for passengers to travel.

D. Congestion and the environment

98. Research on managing road congestion shows that the way drivers currently make their travel decisions often leads to less-than-ideal outcomes for society (Fageda, 2019; Li et al., 2022). This is because drivers tend not to account for the negative effects their trips impose on others, particularly at peak usage levels, and because of the variability of supply. For example, when many drivers use the roads during rush hour, they create traffic jams that slow down everyone. At optimal congestion levels, the marginal social cost aligns with commuter demand; that is, there is a level of road use where the impact on all road users and society matches the travel demand. At this point, roads are used efficiently, striking a balance between individual desires and societal well-being. However, individual drivers often consider only their private costs, such as fuel and time, which are usually lower than the true social costs that include the congestion that they cause. This mismatch situation leads to excessive traffic congestion and worsening traffic conditions. The literature highlights that ride-hailing operators present both opportunities and challenges in addressing road congestion. On one hand, *Uber* offers opportunities to reduce congestion by enabling more efficient transportation options and possibly implementing pricing strategies that encourage travellers to travel during less busy times. On the other hand, these platforms pose challenges such as increasing the number of vehicles on the road, which can worsen congestion if not properly managed.

99. Platforms' impact is significant in discussions on socially optimal road use as they influence how many vehicles are on the roads. A study by Cramer and Krueger (2016) in five different cities revealed that the *Uber* platform achieved higher capacity utilisation rates compared to operators of traditional business models, meaning drivers can transport more passengers with fewer vehicles in the case of one-to-many driver-passenger trips. This efficiency is likely attributed to *Uber*'s streamlined ordering and pricing methods, its growing network, which makes it easier for passengers to get rides quickly. In contrast, the heavy regulation of operators of traditional models in some countries makes traditional operators less flexible and less efficient. Because *Uber* drivers can carry more passengers at once or get more trips done in a shorter time, fewer vehicles are needed overall to meet travel demand. This reduction in vehicles on the road can help decrease traffic congestion, increasing the productivity and well-being of society as individuals spend less time stuck in traffic. Furthermore, reducing the number of vehicles on the road decreases the amount of pollution produced per mile, promoting a more sustainable urban environment (Hahn & Metcalfe, 2017).

100. While drivers in the ride-hailing economy contribute to congestion as much as drivers of private vehicles, they also present a unique opportunity for dynamic monitoring due to the technology embedded in their operations. Ride-hailing operators require drivers to use smartphones, which continuously relay vehicle location data to the platform, allowing for real-time adjustments in pricing or congestion fees. This real-time data could enable regulators to implement congestion pricing tailored to traffic flow, passenger numbers, and environmental considerations (such as vehicle fuel type), thereby making platforms a focal point in advancing more responsive congestion management practices.

101. Yet, ride-hailing platform-focused pricing also raises equity and policy concerns. Critics argue that congestion fees should apply to all vehicles, not exclusively to ride-hailing operators, given that single-occupant vehicles (SOVs) are the primary contributors to traffic congestion. While cities like Singapore have successfully implemented congestion pricing across all road users through technologies such as sensors, the ability to dynamically monitor and charge ride-hailing operators presents privacy and logistical challenges. In contrast, applying *Vickrey pricing* to ride-hailing platforms is easier, as they already use mobile monitoring. This situation highlights both the feasibility and limitations of congestion management through ride-hailing platform-targeted policies, revealing that although ride-hailing-specific solutions are promising for efficient traffic regulation, broader adoption across all vehicle types requires further innovation and research in monitoring and data privacy assurance.

IV. USE CASES: The regulation of ride-hailing platforms in other jurisdictions

102. Operators of traditional business models in Jamaica have argued that they compete with an unfair competitive disadvantage against operators of the ride-hailing model because ride-hailing operators operate in the public transportation sector without the mandatory regulatory oversight of the Authority. While this is true, as compliance costs contribute largely to the costs of operating in the traditional economy, this does not provide appropriate justification for blocking ride-hailing platforms, as such a policy would ignore the significant benefits that could be extracted from the expansion of the ride-hailing economy in the public transportation sector in Jamaica. The ban imposed on ride-hailing platforms in Jamaica in 2024 appears not to have displaced the sharing economy, which continued its expansion in the transportation sector despite its illegal status. This implies that passengers perceived a high value for ride-hailing services.

103. This recognition of the potential value of ride-hailing services to passengers necessitates a more balanced approach to regulating the public transportation sector; instead of banning ride-hailing platforms in Jamaica, policymakers should explore restructuring the regulatory framework to accommodate the expansion of the sharing economy in the public transportation sector.

104. Policymakers should implement a regulatory solution that allows ride-hailing platforms to participate alongside traditional operators but subjects them to greater regulation than currently prevails.

105. The *organisational neutrality principle* contends that when an innovation disrupts the existing market and regulatory structures, and existing regulations are unable to regulate the market properly, regulators should adopt a neutral approach. In other words, a regulatory regime that creates a level playing field between early entrants (the incumbents) and later entrants (innovators), neither favouring nor discouraging either class of service provider. Competition must encourage entrepreneurs to innovate and not deprive consumers of the benefits offered by such innovations, while at the same time ensuring that incumbent players are not outcompeted by recent entrants simply because the new innovators are not subject to existing regulations and are thus given an unfair competitive advantage. It is only when there are compelling reasons, such as public interest, that this neutral approach should be deviated from, thereby granting a regulatory advantage to either incumbents or entrants (Biber et al., 2017).

106. On this basis, it is argued that the market should be open to ride-hailing operators and regulations should be adopted to install guardrails for this business model. These regulations will aim to create an even playing field in the public transportation sector and ensure concerns related to public interest and market failures are addressed.

107. A useful starting point in determining the regulatory framework to employ in the face of the platform model is to first analyze how other jurisdictions have approached this problem. Numerous cases have

been mentioned globally throughout this report; however, this section aims to provide a comprehensive overview of the various requirements. Observing the various requirements different jurisdictions have imposed can help Jamaica determine what measures to adopt going forward.

A. USA

108. The USA has addressed the issue of ride-hailing legislation on a state-by-state basis.

109. **California**. The California Public Utilities Commission (CPUC) created the category of "Transport Network Company", which has its own regulating rules, distinct from the regulation of operators of traditional business models. The CPUC regulates ride-hailing operators as Transport Network Companies ("TNCs"), defined as organisations in any form that provide "pre-arranged transportation services for compensation using an online-enabled application (app) or platform to connect passengers with drivers using their vehicles." TNCs must not operate without a permit from the CPUC. Safety requirements imposed by the CPUC on TNCs include:

a. TNCs are required to maintain commercial liability insurance policies, perform checks on their drivers' criminal background and driving record,
b. TNCs are required to establish a driver training program, maintain a zero-tolerance policy on drugs and alcohol,
c. TNCs are required to inspect vehicles and
d. TNCs are also restricted to offering prearranged services and cannot accept street hails.
e. TNCs cannot operate at airports without the authorisation of the airport authorities

110. **New York.** A bill was passed in 2017 allowing ride-hailing operators such as *Uber* and *Lyft* to operate in the city. The new requirement for ride-hailing services includes:

a. The driver's photograph;
b. The make, model and colour of the vehicle and the vehicle's plate number;
c. Drivers must be over 19 years old, have a valid licence issued by the Department of Motor Vehicles (DMV) and undergo a background check;
d. The ride-hailing operator must fill out an application and submit it to the DMV. Application fees cost 100,000 USD, and a 60,000 USD renewal fee; and
e. Ride-hailing operator must have vehicle liability insurance of 1.25 million USD whenever a passenger is being driven; must provide workers' compensation coverage; adopt anti-discriminatory policies against passengers; and submit all their enrolled drivers to DMV's License Event Notification System.

B. European Union (EU)

111. *Uber* was once permitted to operate in London by using a private hire operator license (PHOL). However, Transport for London (TfL) issued a notice on 22nd September 2017 stating that it would no longer re-issue PHOL to them. The reasons cited by TfL were *Uber*'s lack of corporate responsibility in public safety and security implications. These included how *Uber* reported serious criminal offences, how medical certificates were obtained, and *Uber's* approach to enhanced disclosure and barring services, among other reasons. Another issue that had to be addressed was determining the nature of the contractual labour arrangement between *Uber* and its drivers. The Employment Appeal Tribunal concluded that *Uber*'s drivers were "workers", meaning they are entitled to benefits such as minimum wage and holiday pay. This was largely based on the amount of control *Uber* had over its drivers, which did not point towards an independent contractor relationship. In the European Union (EU), the case of *Asociación Profesional Élite Taxi v Uber Systems Spain SL25* reached its conclusion at the European Court of Justice (ECJ). The dispute was whether *Uber* was engaged in unfair competition because it did not comply with the same rules that applied to operators of traditional models. ECJ ruled that *Uber* was a "Transport Service" as opposed to being an "Information Society Service". This judgment would have been binding on all members of the EU. The implication of this decision meant that *Uber* must submit to the regulations that are ordinarily imposed upon operators of traditional models of public transportation. This suggests that they must have the requisite licences to operate legally, as well as higher obligations to take responsibility for their drivers.

C. Asia

112. Singapore requires *Uber* and *Grab* to obtain a private hire car driver's vocational licence to operate in the public transportation sector. To obtain such a licence, a person must pass background and medical checks, be able to read and speak simple English, be a Singaporean resident, have a continuous driving licence for two years, and those over 50 years old will be required to have more frequent medical examinations. Furthermore, they must take a 10-hour Private Hire-Car Driver's Vocational Licence course and pass the tests to operate legally.

113. China also prescribed its own set of regulations for services such as *Didi Chuxing*. Their regulations include individuals having at least three years of driving experience before being eligible to work on a ride-hailing platform, cars cannot have more than seven seats, cars must not be used if the odometer surpasses 600,000 km, drivers must have local household registration, and user information must be stored in China for at least two years.

D. Hong Kong

114. Hong Kong is the most recent country to go through a legislative process to regulate ride-hailing platforms (referred to as E-Hail). To guide this legislation, *Uber* documented policy recommendations for reasonable regulation of ride-hailing platforms. The document advocates for the regulation of ride-hailing platforms in Hong Kong, welcoming the government's intentions but emphasising that the regulatory framework must reflect the operational realities of the ride-hailing economy. It recommends either establishing a new licensing system or significantly relaxing the existing requirements (developed for operators of traditional models) and abolishing quotas to facilitate a more flexible and responsive supply of drivers.

115. Key principles outlined include:

a. Free and Flexible Supply: A driver community that is uncapped and adaptable allows for better response to fluctuating demand throughout different times and locations. This flexibility improves ride availability during peak hours. Data shows that over 60% of *Uber* drivers in Hong Kong drive less than 20 hours weekly, indicating a largely casual and flexible driver base.

b. Supply Constraints: Regulatory impediments limit the earning opportunities of drivers by constraining their incentives or opportunity to respond efficiently to spikes in the demand for public transportation. Explicit constraints include licensing caps, whilst Implicit constraints include complex or costly licensing procedures.

c. Pricing Flexibility: Allowing flexible pricing is crucial to incentivise drivers to operate where and when demand is high, and to encourage passengers to defer non-essential trips during peak times. Restrictions on pricing can diminish the benefits of ride-hailing.

d. Reasonable Vehicle Standards: Vehicle accreditation should be accessible, focusing on safety rather than extensive specifications such as vehicle age or value. This approach allows drivers to use a wider range of suitable private vehicles, improving accessibility and consumer choice.

e. Reasonable Platform Standards: Licensing requirements for ride-hailing operators should avoid excessive costs or complexity, which could hinder new entrants and limit marketplace competition. Overly high standards may also impact operational efficiency.

E. Mexico and Chile

116. The entry of ride-hailing platforms into the Mexican market in 2013 elicited numerous complaints from taxi unions, citing difficulties in competing with these services. Similar grievances contended that ride-hailing services evaded taxes, registration, and safety laws applicable to regular taxis, thereby creating fewer barriers to entry/operation and fostering an uneven playing field. To mitigate these concerns, the

Mexican government enacted regulations aimed at delineating the taxi and ride-hailing markets. These regulations included:

a. Requirement for ridesharing platforms to register with the transport authority, including paying a fee.
b. Payment of a 1.5% tax per ride by ride-hailing platforms which goes towards a "taxi, mobility and pedestrian fund".
c. Prohibition of drivers from taking cash payments.
d. Cars must have cost more than MXN 200,000[10]

117. When faced with similar challenges, policymakers in Chile endeavoured to implement regulations limiting the maximum number of ride-hailing drivers operating in the market. These regulatory interventions were observed to alleviate issues stemming from market dominance and dynamics.

F. Barbados

118. In November 2025, Barbados became the first Caribbean country in the Eastern Caribbean to get the Uber Platform. "Uber Taxi allows licensed taxi drivers to accept ride requests through the app while maintaining their independence. Passengers can view driver details, estimated fares and routes in real time. Fares are displayed in US dollars and fully comply with Transport Authority regulations." BarbadosToday (2025, October 31)

119. The onboarding process for operators is managed by an on-island partner responsible for verifying permits, licences and insurance documents.

[10] Eisenmeier (2018)

120. Overall, this paper advocates for a regulatory approach that ensures responsive and competitive ride-hailing models, emphasising safety, convenience, affordability and effective supply management.

V. OVERALL SUMMARY AND CONCLUSION

121. Stakeholders have expressed concerns for the safety of passengers using unregistered vehicles engaged in public passenger transport, as these vehicles operate outside the regulatory oversight of the Transport Authority. While the use of unregulated vehicles is observed in taxi business models, it is more prevalent in the ride-hailing business model. Ride-hailing platforms operating in Jamaica include *inDrive*, *Uber*, *876OnTheGo*, *Lyft*, and *Ride Jamaica*. In June 2024, a one-year ban was imposed on ride-hailing platforms over a "national security concern."

122. This report proposes an inclusive approach to regulatory reform by encouraging policymakers to accommodate the expansion of the sharing economy in public passenger transport in Jamaica. The ride-hailing business model can make a valuable contribution to the socio-economic development of public passenger transport in Jamaica. For passengers to benefit from the innovations being introduced by ride-hailing platforms, however, the regulatory framework developed primarily with the taxi business model in mind should not be uniformly applied to ride-hailing operators.

123. Instead of a one-size-fits-all approach, this paper argues for a dual approach with greater emphasis being placed on self-regulation and corporate governance on the part of ride-hailing operators, relative to operators of taxis. The ride-hailing model permits less exacting oversight to foster a safer and more competitive environment. Integrating safety standards and regulatory oversight into the operations of ride-hailing models would legitimise the use of private vehicles in public passenger transport by ride-hailing operators and improve public confidence in the public transport sector.

124. The report also addresses a topical issue in other jurisdictions which has not received public attention in Jamaica, but which would assist policymakers in addressing the welfare of passengers and drivers: the labour rights of drivers in the ride-hailing model. Establishing a regulatory environment that addresses the unregulated recruitment of drivers can help legitimise the ride-hailing model, allowing for improved oversight, safety and passenger protection.

125. Reforming the regulation of public passenger transport requires a balanced approach and active stakeholder engagement to address legitimate concerns regarding both efficiency and the welfare of drivers and passengers. In proposing measures to accommodate ride-hailing and traditional taxi business models, the paper acknowledges the inherent benefits of the sharing economy and advocates for a regulatory environment that fosters innovation, protects passenger choice and safeguards competition.

VI. RECOMMENDATIONS (PROPOSED REGULATORY MEASURES)

126. Having considered the information summarised in this report, the FTC proposes that policymakers adopt the following two measures to accommodate the expansion of the sharing economy in the public transportation sector. The main benefits of the recommendations are summarised in Tables 2 and 3, which follow.

Recommendation I: Policymakers should introduce a new classification of labour.

127. Many researchers have acknowledged that the evolving nature of work has long graduated from the binary system of labour classification (i.e., employee or independent contractor) due to the changes in control and ownership afforded to workers by evolving technologies. A third category for classifying labour, for example, “dependent contractor”, would establish the rights and responsibilities of drivers and operators in the ride-hailing economy. This new category may grant workers access to social security benefits, minimum wages, and paid leave, while preserving their ability to work across multiple ride-hailing platforms and set flexible schedules.

128. This new category would resolve the ambiguity in labour classification, preventing potential labour-related issues for drivers while establishing the party responsible in the case of breaches of the new policy, creating a pathway for accountability and enforcement. This recommendation may prevent the issues that have arisen in other jurisdictions, such as the European Union.

Recommendation II: Policymakers should regulate ride-hailing platforms within a dual regulatory regime.

129. Ride-hailing operators should be required to register with the Transport Authority as an appropriately defined "Shared Mobility Service Provider" (SMSPs). [11] The Authority should establish a regulatory structure for SMSPs that is distinct from the structure governing operators of the traditional business models (public passenger vehicles). SMSPs registered with the Transport Authority must fulfil these characteristics and obligations:

    a. Have a robust database with passenger and driver information that is made available to the Transport Authority when necessary
    b. Have an app with geolocation, agreed safety features (a 24-hour reporting function, a function to share location information with family members, etc.), and customer feedback tools
    c. Apps provide a mandatory, online customer service, road safety, and inclusion course to all drivers before granting operation
    d. Platforms must have commercial insurance for all trips. Drivers must purchase appropriate personal insurance, including compensation for third-party personal injury and property damage.
    e. Discriminatory and violent acts should be prohibited clearly in the platform's guidelines, and passengers and drivers can report violations on the app or by hotline.
    f. Criminal/background checks should be done on drivers during initial registration with the platform
    g. Mechanism for passengers to report accidents
    h. Mechanism for driver verification
    i. Registration with the Companies Office of Jamaica
    j. All drivers registered with these providers must hold a license (private or otherwise) for at least one year. Vehicles must be registered in the driver's name and must have a valid certificate of fitness, registration, and private insurance. Drivers must have no serious traffic incidents in the past five years. For drivers to operate without a PPV license, they must be registered with an approved SMSP, and only registered rides may be carried out. Rides can only be booked through the app. That is, no street hails can be done by drivers without the appropriate PPV license.

[11] This term is, of course, subject to change and is only being used to facilitate information exchange in this report.

Table 2. *The benefits assigned to implementing each recommendation*

Recommendations	Main Benefits
Recommendation 1: Policymakers should establish a new classification of labour.	Creates a legal framework that establishes rights and responsibilities in the platform-driver contractual relationship, creating a pathway for effective accountability.
Recommendation II: Policymakers should regulate ride-hailing platforms within a dual regulatory regime.	• Creates a framework for platforms to operate within, thus establishing a standard for their services that helps in addressing the social concerns attached to the technology while supporting the pathway for effective platform accountability. • Reduces unfair regulations between taxis and platforms by creating a regulatory regime for platforms to operate within. • Integrates private licensees into the driver pool while supporting individual driver accountability

***Table 3**. The Benefit Ascribed to each Characteristic/Obligation Listed in Recommendation II*

Characteristics/Obligations of the "Shared Mobility Platform"	**Main Benefits**
Have a robust database with passenger and driver information that is made available to the Transport Authority when necessary. This databased should align with governing data protection and cyber security legislation including the Data Protection Act, 2020, and the Cybercrimes Act, 2015.	• Supports safety measures as driver and passenger information can be easily sourced and tracked *(see paragraphs 32-35 and 93*
Have an app with geolocation, agreed safety features and customer feedback tools	• Offers safety measures that increase consumer trust and encourage individual and community-based protection *(see paragraphs 88-93)*
Apps provide mandatory, online customer service and a road safety course to all drivers before granting operation	• Addresses safety concerns by reminding drivers of safe methods to interact and drive *(see paragraphs 109 and 112).*
Platforms must have commercial insurance for all trips and a mechanism for reporting accidents.	• Clarifies liability and risk allocation in the case of accidents and reduces safety concerns related to insurance (see paragraphs 80-85).
Guidelines prohibiting socially discriminatory and violent acts, and passengers and drivers can report violations via app or hotline.	• Addresses safety concerns *(see paragraphs 94-97)*
Criminal/background checks should be done on drivers during initial registration with the platform.	• Addresses safety concerns *(see paragraph 86))*
Minimum driver licensing requirement	• Addresses safety concerns *(see paragraph 87)*

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