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Legal Research ♦ Government Affairs

April 6, 2021

Rep. Zack Stephenson, Chair
House Commerce Finance and Policy Committee
509 State Office Building
St. Paul, Minnesota 55155

RE: HF 1031 DE 9 Amendment
Article 4, Section 41
Delivery Fee Limitations

Dear Chair Stephenson:

I am writing on behalf of my client, Uber Technologies and their food delivery service UberEats, regarding the inclusion of HF 299 in your omnibus Commerce Finance and Policy bill. We provided testimony on this bill during the committee hearing on January 27th expressing our concerns with the proposal as drafted.

Uber remains committed to its restaurant partners and delivery drivers during the pandemic. Uber has voluntarily reduced and waived fees to assist restaurants that have faced public health related business restrictions to help them maintain some level of business. These actions have been done without government involvement to support our business partners, and they continue as the economy reopens.

However, the limitations contained in the proposal as drafted are one sided, push more costs onto consumers and improperly void contractual relationships that pre-date pandemic business closures. Similar restrictions imposed at the local licensing level have proven to reduce the number of restaurants that are served by delivery services, lowered compensation to drivers, and added higher fees to consumers that are attempting to support the food and beverage businesses in their community.

Had this legislation received a hearing in the Judiciary Committee we would have reviewed the significant constitutional concerns this proposal presents. This bill impermissibly imposes a substantial impairment on the contractual rights of parties and with no significant public purpose. Breaking private contractual obligations is an undertaking the Minnesota Constitution prohibits and is a dangerous precedent.

For these reasons and more we must continue to oppose HF 299 as included in the DE 9 amendment.

Respectfully,



Joel Carlson