

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0208.01 Richard Sweetman x4333

**HOUSE BILL 22-1089**

**HOUSE SPONSORSHIP**

**Woodrow**, Bacon, Benavidez, Bernett, Boesenecker, Duran, Gonzales-Gutierrez, Kipp,  
Lindsay, Sirota, Sullivan, Titone

**SENATE SPONSORSHIP**

Winter,

**House Committees**  
Judiciary

**Senate Committees**  
Transportation & Energy

**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT TRANSPORTATION NETWORK**  
102 **COMPANIES PROVIDE INSURANCE TO PROTECT INDIVIDUALS**  
103 **FROM DAMAGES CAUSED BY UNINSURED MOTORISTS.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law requires a transportation network company or its drivers to secure primary liability insurance coverage for the drivers for incidents involving the drivers during prearranged rides and for periods when a driver is logged into a transportation network company's digital network but not engaged in a prearranged ride. **Section 1** of the bill

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
February 18, 2022

HOUSE  
Amended 2nd Reading  
February 17, 2022

requires a transportation network company or its drivers to also secure insurance protection for drivers and for their riders against damages caused by uninsured motorists.

Current law requires automobile liability and motor vehicle liability policies to provide coverage for damages caused by uninsured motorists; except that the named insured may reject such coverage in writing. **Section 2** provides that a named insured may not reject such coverage if the named insured is:

- A transportation network company; or
- A transportation network company driver for whom the transportation network company has not secured such coverage.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 40-10.1-604, **amend**  
3    (7); **repeal** (3)(c); and **add** (2.5) as follows:

4 **40-10.1-604. Registration - financial responsibility of**  
5 **transportation network companies - primary liability insurance -**  
6 **insurance protection against uninsured motorists.** (2.5) ON AND  
7 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2.5), FOR EACH  
8 TRANSPORTATION NETWORK COMPANY DRIVER, THE DRIVER'S  
9 TRANSPORTATION NETWORK COMPANY SHALL FILE WITH THE COMMISSION,  
10 IN A MANNER PRESCRIBED BY THE COMMISSION, DOCUMENTATION  
11 EVIDENCING THAT THE TRANSPORTATION NETWORK COMPANY     HAS  
12 SECURED INSURANCE COVERAGE AGAINST DAMAGE CAUSED BY  
13 UNINSURED MOTORISTS, AS DESCRIBED IN SECTION 10-4-609, FOR THE  
14 DRIVER AND FOR EACH TRANSPORTATION NETWORK COMPANY RIDER IN  
15 THE DRIVER'S PERSONAL VEHICLE FOR INCIDENTS INVOLVING THE DRIVER  
16 DURING A PREARRANGED RIDE. SUCH COVERAGE MUST BE IN THE AMOUNT  
17 OF AT LEAST FIVE HUNDRED THOUSAND DOLLARS PER OCCURRENCE. THE  
18 INSURANCE POLICY MUST PROVIDE COVERAGE TO DRIVERS AND RIDERS AT  
19 ALL TIMES THE DRIVER IS ENGAGED IN A PREARRANGED RIDE.

1 (3) For the period of time when a driver is logged into a  
2 transportation network company's digital network but is not engaged in  
3 a prearranged ride, the following insurance requirements apply:

4 ==  
5 (c) ~~The division of insurance shall conduct a study of whether the~~  
6 ~~levels of coverage provided for in this subsection (3) are appropriate for~~  
7 ~~the risk involved with transportation network company services. In~~  
8 ~~conducting the study, the division of insurance shall convene one or more~~  
9 ~~stakeholder meetings to evaluate the choices of coverage set forth in~~  
10 ~~subparagraph (III) of paragraph (b) of this subsection (3). On or before~~  
11 ~~January 15, 2015, the division of insurance shall present its findings and~~  
12 ~~any recommendations to the business, labor, economic and workforce~~  
13 ~~development committee in the house of representatives, the business,~~  
14 ~~labor, and technology committee in the senate, the transportation and~~  
15 ~~energy committee in the house of representatives, and the transportation~~  
16 ~~committee in the senate.~~

17 ==  
18 (7) In a claims coverage investigation, a transportation network  
19 company shall cooperate with a liability AN insurer that also insures the  
20 driver's transportation network company vehicle, including the provision  
21 of relevant dates and times during which an incident occurred that  
22 involved the driver while the driver was logged into a transportation  
23 network company's digital network.

24 ==  
25 **SECTION 2.** In Colorado Revised Statutes, 10-4-609, **amend**  
26 (1)(a) as follows:

27 **10-4-609. Insurance protection against uninsured motorists -**

1 **applicability.** (1) (a) (I) ~~NO~~ EXCEPT AS DESCRIBED IN SUBSECTION  
2 (1)(a)(II) OF THIS SECTION, AN automobile liability or motor vehicle  
3 liability policy insuring against loss resulting from liability imposed by  
4 law for bodily injury or death suffered by any person arising out of the  
5 ownership, maintenance, or use of a motor vehicle, ~~shall be~~ WHICH  
6 POLICY IS delivered or issued for delivery in this state with respect to any  
7 motor vehicle licensed for highway use in this state, ~~unless~~ MUST PROVIDE  
8 coverage ~~is provided therein~~ or supplemental ~~thereto~~ COVERAGE, in limits  
9 for bodily injury or death set forth in section 42-7-103 (2), ~~C.R.S.~~, under  
10 provisions approved by the commissioner, for the protection of persons  
11 insured ~~thereunder~~ UNDER THE POLICY who are legally entitled to recover  
12 damages from owners or operators of uninsured motor vehicles because  
13 of bodily injury, sickness, or disease, including death, resulting ~~therefrom~~;  
14 ~~except that the named insured may reject such coverage in writing~~ FROM  
15 A MOTOR VEHICLE ACCIDENT.

16 (II) SUBSECTION (1)(a)(I) OF THIS SECTION DOES NOT APPLY IF THE  
17 NAMED INSURED REJECTS THE COVERAGE DESCRIBED IN SUBSECTION  
18 (1)(a)(I) IN WRITING; EXCEPT THAT, IF THE NAMED INSURED IS A  
19 TRANSPORTATION NETWORK COMPANY, AS DEFINED IN SECTION  
20 40-10.1-602 (3), SECURING COVERAGE FOR A TRANSPORTATION NETWORK  
21 COMPANY DRIVER, AS DEFINED IN SECTION 40-10.1-602 (4), TO PROTECT  
22 AGAINST DAMAGES CAUSED BY UNINSURED MOTORISTS, AS DESCRIBED IN  
23 SECTION 40-10.1-604 (2.5), THE NAMED INSURED MAY NOT REJECT THE  
24 COVERAGE FOR PERIODS WHEN THE TRANSPORTATION NETWORK COMPANY  
25 DRIVER IS ENGAGED IN A PREARRANGED RIDE, AS DEFINED IN SECTION  
26 40-10.1-602 (2).

27 **SECTION 3. Act subject to petition - effective date -**

1     **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
2     the expiration of the ninety-day period after final adjournment of the  
3     general assembly; except that, if a referendum petition is filed pursuant  
4     to section 1 (3) of article V of the state constitution against this act or an  
5     item, section, or part of this act within such period, then the act, item,  
6     section, or part will not take effect unless approved by the people at the  
7     general election to be held in November 2022 and, in such case, will take  
8     effect on the date of the official declaration of the vote thereon by the  
9     governor.

10           (2) This act applies to behavior occurring on or after the  
11     applicable effective date of this act.