

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 25-0318.01 Josh Schultz x5486

HOUSE BILL 25-1291

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House Committees
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A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE PROTECTIONS FOR PERSONS**
102 **ENGAGED WITH TRANSPORTATION NETWORK COMPANIES.**

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>.)

The bill prohibits a transportation network company (TNC) driver from driving or offering to drive for more than 10 consecutive hours.

Current law requires that, before an individual is permitted to act as a driver through the use of a TNC's digital network, the individual shall obtain a criminal history record check. The bill requires that the TNC procure a criminal history record check for the individual before the

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

SENATE
Amended 2nd Reading
May 6, 2025

HOUSE
3rd Reading Unamended
April 16, 2025

HOUSE
Amended 2nd Reading
April 15, 2025

individual is permitted to act as a driver and at least once every 6 months after the initial criminal history record check. The bill requires that the criminal history record check be a fingerprint-based criminal history record check and eliminates the option for the individual to fulfill the requirement through a privately administered national criminal history record check.

Before each prearranged ride, a TNC shall verify that a driver providing the prearranged ride is the same driver authorized by the TNC to provide the prearranged ride through one of the following methods:

- An in-vehicle dash camera;
- A live self-identification photograph or video;
- Biometric verification by fingerprint or optical scan; or
- Another method that effectively verifies that the driver providing the prearranged ride is the same driver authorized by the TNC for that prearranged ride.

If a person files a complaint with the public utilities commission (commission) against a TNC or a driver, the TNC shall, upon request from the person filing the complaint, provide the person filing the complaint all known and available data, photographs, and video related to the prearranged ride that is the subject of the complaint. After a person files a complaint against a TNC or a driver, the TNC is required to respond to a request for information from the person, the commission, a court, a district attorney, the attorney general, or a law enforcement agency no later than 24 hours after the request is made.

In addition to enforcement by the commission, the bill authorizes the attorney general or a person injured or harmed by an alleged violation of the bill to initiate a civil proceeding in a district court against a TNC or a driver that violates the bill.

The bill requires a TNC to ensure that each prearranged ride is continuously audio and video recorded from when the driver picks up the rider until when the rider departs from the driver's vehicle. A rider or driver may opt out of the continuous audio and video recording.

The bill requires that, on or before February 1, 2026, and on or before February 1 each year thereafter, a TNC shall submit specified data to the commission, the attorney general, the house of representatives judiciary committee, and the senate judiciary committee.

A provision in a contract between a TNC and a rider is declared void as against public policy if the provision attempts or purports to waive specified rights.

The bill requires a TNC to develop policies to:

- Prevent imposter accounts, account sharing, and account renting;
- Prevent sexual assault, physical assault, and homicide against or committed by the TNC's drivers; and
- Allow drivers and riders to opt out of continuous audio and

video recording during a prearranged ride.

The following actions are made a deceptive trade practice in violation of the "Colorado Consumer Protection Act":

- A violation of the "Transportation Network Company Act"; and
- Altering the rating that a rider assigned a driver on a TNC's digital network or assigning an automatic or default driver rating that the rider did not assign.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Coloradans increasingly rely on a range of transportation
5 modes, including transportation network companies, to travel to work,
6 school, medical appointments, social gatherings, and more;

7 (b) Unlike traditional transportation providers, transportation
8 network companies exercise full control over their platforms while
9 classifying drivers as independent contractors rather than employees;

10 (c) Transportation network companies market their services as
11 safe and convenient for vulnerable populations, including children,
12 individuals with disabilities, and people seeking a responsible ride home
13 after consuming alcohol. However, transportation network company
14 drivers and riders have reported incidents of fraud, sexual assault,
15 physical assault, and homicide.

16 (d) According to the national institutes of health, drivers providing
17 transportation network company services have an accident rate and a fatal
18 crash incidence rate that is higher than the general population, partly due
19 to the increased hours of driving and driver fatigue;

20 (e) According to a study conducted by the University of Chicago,
21 transportation network companies account for about a 3% annual increase

1 in traffic-related fatalities, or roughly 987 people, including pedestrians,
2 each year. This increase is due, in part, to the large number of drivers
3 needed to provide quick response times.

4 (f) Transportation network companies have failed to develop and
5 fully implement adequate protections on their own volition, despite
6 having direct knowledge of serious safety risks to riders and drivers;

7 (g) Transportation network companies have not effectively
8 prevented the widespread problem of account sharing, where authorized
9 drivers give unauthorized individuals access to their profiles, allowing
10 unauthorized individuals to bypass security measures. Account sharing
11 undermines security and puts riders and the public at risk of harm.

12 (h) Transportation network companies have long been aware of
13 the systemic problem of sexual assaults committed by their drivers.
14 Internal safety reports confirm thousands of reported sexual assaults over
15 multiple years, yet transportation network companies have not
16 implemented meaningful reforms. The actual number of incidents is
17 likely far higher, as studies show that only 30% of sexual assaults are
18 reported, meaning thousands more victims may have been harmed.
19 Transportation network companies have faced lawsuits from passengers
20 and their own shareholders for failing to disclose the extent of the
21 problem.

22 (i) Transportation network companies prioritize profits over rider
23 safety, rolling back protections despite billions of dollars in revenue. The
24 cost of a background check is negligible compared to the
25 multibillion-dollar net worth and profit of the industry.

26 (2) Therefore, the general assembly declares that the people of
27 Colorado require legislation to ensure that all transportation modes,

1 including transportation network companies, are safe, reliable, and just
2 and that the people of Colorado have a transportation system that
3 prioritizes their safety.

4 **SECTION 2.** In Colorado Revised Statutes, 40-10.1-602, **amend**
5 (1); and **add** (1.1), (1.3), (1.5), (1.7), and (7) as follows:

6 **40-10.1-602. Definitions.** As used in this part 6, unless the
7 context otherwise requires:

8 (1) (a) ~~"Personal vehicle" means a vehicle that is used by a~~
9 ~~transportation network company driver in connection with providing~~
10 ~~services for a transportation network company that meets the vehicle~~
11 ~~criteria set forth in this part 6~~ "BIOMETRIC DATA" MEANS ONE OR MORE
12 BIOMETRIC IDENTIFIERS THAT ARE USED OR INTENDED TO BE USED, SINGLY
13 OR IN COMBINATION WITH EACH OTHER OR WITH OTHER PERSONAL DATA,
14 FOR IDENTIFICATION PURPOSES.

15 (b) "BIOMETRIC DATA" DOES NOT INCLUDE THE FOLLOWING
16 UNLESS THE BIOMETRIC DATA IS USED FOR IDENTIFICATION PURPOSES:

17 (I) A DIGITAL OR PHYSICAL PHOTOGRAPH;

18 (II) AN AUDIO OR VOICE RECORDING; OR

19 (III) ANY DATA GENERATED FROM A DIGITAL OR PHYSICAL
20 PHOTOGRAPH OR AN AUDIO OR VIDEO RECORDING.

21 (1.1) "BIOMETRIC IDENTIFIER" MEANS DATA GENERATED BY THE
22 TECHNOLOGICAL PROCESSING, MEASUREMENT, OR ANALYSIS OF A
23 CONSUMER'S BIOLOGICAL, PHYSICAL, OR BEHAVIORAL CHARACTERISTICS,
24 WHICH DATA CAN BE PROCESSED FOR THE PURPOSE OF UNIQUELY
25 IDENTIFYING AN INDIVIDUAL. "BIOMETRIC IDENTIFIER" INCLUDES:

26 (a) A FINGERPRINT;

27 (b) A VOICEPRINT;

- 1 (c) A SCAN OR RECORD OF AN EYE RETINA OR IRIS;
2 (d) A FACIAL MAP, FACIAL GEOMETRY, OR FACIAL TEMPLATE; OR
3 (e) OTHER UNIQUE BIOLOGICAL, PHYSICAL, OR BEHAVIORAL
4 PATTERNS OR CHARACTERISTICS.

5 (1.3) "MINOR" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF
6 AGE.

7 (1.5) "NAME-BASED JUDICIAL RECORD CHECK" HAS THE MEANING
8 SET FORTH IN SECTION 22-2-119.3 (6)(d).

9 (1.7) "PERSONAL VEHICLE" MEANS A VEHICLE THAT IS USED BY A
10 TRANSPORTATION NETWORK COMPANY DRIVER IN CONNECTION WITH
11 PROVIDING SERVICES FOR A TRANSPORTATION NETWORK COMPANY AND
12 THAT MEETS THE VEHICLE CRITERIA SET FORTH IN THIS PART 6.

13 (7) "YOUTH" MEANS AN INDIVIDUAL UNDER FIFTEEN YEARS OF
14 AGE.

15 **SECTION 3.** In Colorado Revised Statutes, 40-10.1-605, **amend**
16 (3)(b), (3)(c)(I), (3)(c)(II), and (5); and **add** (3)(b.5), (3)(c)(V), (3)(c)(VI),
17 (3)(c)(VII), (3)(c)(VIII), (3)(c)(IX), (3)(d), (3)(e), (7)(c), (7.5), (7.7),
18 (7.8), and (11) as follows:

19 **40-10.1-605. Operational requirements - criminal history**
20 **record check - driver verification - civil action - audio and video**
21 **recording - deactivation - offering food or beverage prohibited -**
22 **reviews and ratings - rules.** (3) (b) A driver TRANSPORTATION
23 NETWORK COMPANY shall ~~obtain~~ PROCURE a PRIVATELY ADMINISTERED
24 criminal history record check ~~in accordance with subparagraph (I) of~~
25 ~~paragraph (a) of this subsection (3)~~ FOR EACH INDIVIDUAL SERVING AS A
26 DRIVER THROUGH USE OF THE TRANSPORTATION NETWORK COMPANY'S
27 DIGITAL NETWORK every ~~five years~~ SIX MONTHS while ~~serving~~ THE

1 INDIVIDUAL SERVES as a driver.

2 (b.5) A TRANSPORTATION NETWORK COMPANY SHALL PAY THE
3 COSTS OF A CRIMINAL HISTORY RECORD CHECK CONDUCTED PURSUANT TO
4 THIS SUBSECTION (3).

5 (c) (I) ~~A person~~ AN INDIVIDUAL who has been convicted of or pled
6 guilty or nolo contendere to driving under the influence of drugs or
7 alcohol in the previous ~~seven~~ THREE years before applying to become a
8 driver shall not serve as a driver. If the criminal history record check
9 PERFORMED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION reveals that
10 the ~~person~~ INDIVIDUAL has ever been convicted of or pled guilty or nolo
11 contendere to any of the following ~~felony~~ offenses, the ~~person~~
12 INDIVIDUAL shall not serve as a driver:

13 (A) ~~An~~ A FELONY offense involving fraud, as described in article
14 5 of title 18; ~~C.R.S.~~;

15 (B) An offense involving unlawful sexual behavior, as defined in
16 section 16-22-102 (9); ~~C.R.S.~~;

17 (C) ~~An~~ A FELONY offense against property, as described in article
18 4 of title 18; ~~C.R.S.~~; or

19 (D) A crime of violence, as described in section 18-1.3-406;
20 ~~C.R.S.~~

21 (E) AN OFFENSE INVOLVING DOMESTIC VIOLENCE, AS DEFINED IN
22 SECTION 18-6-800.3 (1);

23 (F) AN OFFENSE INVOLVING STALKING, AS DESCRIBED IN SECTION
24 18-3-602;

25 (G) AN OFFENSE INVOLVING HARASSMENT, AS DESCRIBED IN
26 SECTION 18-9-111; OR

27 (H) AN OFFENSE INVOLVING MENACING, AS DESCRIBED IN SECTION

1 18-3-206.

2 (II) A person AN INDIVIDUAL who has been convicted of OR PLED
3 GUILTY OR NOLO CONTENDERE TO a comparable offense to the offenses
4 listed in ~~subparagraph (f) of this paragraph (c)~~ SUBSECTION (3)(c)(I) OF
5 THIS SECTION in another state or in the United States shall not serve as a
6 driver.

7 (V) A DRIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY OR
8 NOLO CONTENDERE TO AN OFFENSE LISTED IN SUBSECTION (3)(c)(I) OF
9 THIS SECTION HAS A DUTY TO NOTIFY THE TRANSPORTATION NETWORK
10 COMPANY WITHIN FORTY-EIGHT HOURS AFTER THE INDIVIDUAL'S
11 CONVICTION WAS PRONOUNCED OR PLEA WAS ENTERED. THE
12 TRANSPORTATION NETWORK COMPANY IS NOT LIABLE FOR A DRIVER'S
13 FAILURE TO PROVIDE THE NOTICE IF THE TRANSPORTATION NETWORK
14 COMPANY CLEARLY COMMUNICATED THE POLICY TO THE DRIVER.

15 (VI) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF OR PLED
16 GUILTY OR NOLO CONTENDERE TO DRIVING UNDER THE INFLUENCE OF
17 DRUGS OR ALCOHOL SHALL NOT SERVE AS A DRIVER FOR THREE YEARS
18 AFTER THE CONVICTION WAS PRONOUNCED OR THE PLEA WAS ENTERED.

19 (VII) AN INDIVIDUAL WHO HAS BEEN DISQUALIFIED OR REMOVED
20 FROM DRIVING FOR A TRANSPORTATION SERVICE REGULATED UNDER THIS
21 TITLE 40 OR DISQUALIFIED OR REMOVED FROM DRIVING UNDER A
22 SUBSTANTIALLY SIMILAR LAW OF ANOTHER STATE FOR AN INCIDENT
23 INVOLVING ANY OF THE FOLLOWING ACTIVITIES SHALL NOT SERVE AS A
24 DRIVER:

25 (A) PHYSICAL ASSAULT;

26 (B) SEXUAL ASSAULT;

27 (C) HARASSMENT;

1 (D) KIDNAPPING;

2 (E) FELONY ROBBERY;

3 (F) MENACING;

4 (G) ACCOUNT SHARING; OR

5 (H) IMPERSONATING A DRIVER.

6 (VIII) AN INDIVIDUAL SHALL NOT SERVE AS A DRIVER FOR A
7 TRANSPORTATION NETWORK COMPANY IF THE INDIVIDUAL:

8 (A) HAS AN AUTHORIZED PROFILE TO DRIVE FOR A
9 TRANSPORTATION NETWORK COMPANY; AND

10 (B) IS CONFIRMED BY A TRANSPORTATION NETWORK COMPANY TO
11 HAVE ALLOWED ANOTHER INDIVIDUAL TO DRIVE FOR THE
12 TRANSPORTATION NETWORK COMPANY UNDER THE AUTHORIZED PROFILE
13 OR HAS USED ANOTHER INDIVIDUAL'S AUTHORIZED PROFILE TO ACCEPT A
14 PREARRANGED RIDE FOR A TRANSPORTATION NETWORK COMPANY.

15 (IX) IF A PERSON FILES A COMPLAINT WITH A TRANSPORTATION
16 NETWORK COMPANY OR THE COMMISSION REGARDING THE ALLEGATIONS
17 DESCRIBED IN SUBSECTION (3)(d)(I) OF THIS SECTION AGAINST AN
18 INDIVIDUAL ACTING AS A DRIVER THROUGH USE OF THE TRANSPORTATION
19 NETWORK COMPANY'S DIGITAL NETWORK, THE TRANSPORTATION
20 NETWORK COMPANY SHALL PROCURE A PRIVATELY ADMINISTERED
21 CRIMINAL HISTORY RECORD CHECK FOR THE INDIVIDUAL ACTING AS A
22 DRIVER.

23 (d) (I) A TRANSPORTATION NETWORK COMPANY SHALL INITIATE
24 A REVIEW OF A DRIVER FOR DEACTIVATION PURSUANT TO SUBSECTION
25 (3)(d)(II) OF THIS SECTION IF THE TRANSPORTATION NETWORK COMPANY
26 IS NOTIFIED THROUGH A COMPLAINT FILED WITH THE TRANSPORTATION
27 NETWORK COMPANY OR THE COMMISSION OR THROUGH CONTACT BY THE

1 COMMISSION, THE OFFICE OF THE ATTORNEY GENERAL, A DISTRICT
2 ATTORNEY'S OFFICE, OR LAW ENFORCEMENT AGENCY REGARDING AN
3 ALLEGATION AGAINST THE DRIVER OF:

4 (A) PHYSICAL ASSAULT;

5 (B) SEXUAL ASSAULT;

6 (C) KIDNAPPING;

7 (D) FELONY ROBBERY;

8 (E) MENACING; OR

9 (F) HOMICIDE.

10 (II) WITHIN SEVEN BUSINESS DAYS AFTER RECEIVING NOTICE OF AN
11 ALLEGATION AGAINST A DRIVER AS DESCRIBED IN SUBSECTION (3)(d)(I) OF
12 THIS SECTION, THE TRANSPORTATION NETWORK COMPANY SHALL REVIEW
13 THE AVAILABLE EVIDENCE AND, IF THE TRANSPORTATION NETWORK
14 COMPANY DETERMINES THAT THE ALLEGATION IS MORE THAN LIKELY TO
15 HAVE OCCURRED, THE TRANSPORTATION NETWORK COMPANY SHALL
16 DEACTIVATE THE DRIVER FROM THE TRANSPORTATION NETWORK
17 COMPANY'S DIGITAL PLATFORM IN ACCORDANCE WITH THE
18 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION AND SUSPENSION
19 POLICY DEVELOPED PURSUANT TO SECTION 8-4-127.

20 (III) THE COMMISSION SHALL CREATE A PROCESS BY RULE FOR
21 SHARING INFORMATION BETWEEN TRANSPORTATION NETWORK COMPANIES
22 REGARDING DEACTIVATION OF RIDERS AND DRIVERS.

23 (e) (I) A DRIVER WHO HAS BEEN DEACTIVATED PURSUANT TO
24 SUBSECTION (3)(d) OF THIS SECTION MAY, WITHIN THIRTY CALENDAR DAYS
25 AFTER RECEIVING A WRITTEN NOTICE OF THE DEACTIVATION, CHALLENGE,
26 IN WRITING, THE DEACTIVATION WITH THE TRANSPORTATION NETWORK
27 COMPANY PURSUANT TO THE TRANSPORTATION NETWORK COMPANY'S

1 INTERNAL DEACTIVATION REVIEW PROCESS ESTABLISHED PURSUANT TO
2 SECTION 8-4-127 (5).

3 (II) A TRANSPORTATION NETWORK COMPANY SHALL CONDUCT AN
4 INTERNAL DEACTIVATION RECONSIDERATION OF A CHALLENGED
5 DEACTIVATION WITHIN FOURTEEN CALENDAR DAYS AFTER THE DRIVER
6 MAKES THE WRITTEN REQUEST FOR DEACTIVATION RECONSIDERATION IN
7 ACCORDANCE WITH SECTION 8-4-127 (5)(b); EXCEPT THAT THE
8 TRANSPORTATION NETWORK COMPANY MAY NOTIFY THE DRIVER IN
9 WRITING OF A CONTINUANCE OF THE DEACTIVATION RECONSIDERATION IF
10 THE DRIVER HAS NOT PROVIDED SUFFICIENT EVIDENCE OR
11 DOCUMENTATION FOR CONSIDERATION BY THE TRANSPORTATION
12 NETWORK COMPANY OR IF CIRCUMSTANCES OUTSIDE OF THE
13 TRANSPORTATION NETWORK COMPANY'S CONTROL NECESSITATE
14 ADDITIONAL TIME TO RECONSIDER THE CHALLENGED DEACTIVATION.

15 (III) A TRANSPORTATION NETWORK COMPANY'S INTERNAL
16 DEACTIVATION REVIEW PROCESS DEVELOPED PURSUANT TO SECTION
17 8-4-127 (5) MUST:

18 (A) REQUIRE CONSIDERATION OF ALL RELEVANT, AVAILABLE
19 INFORMATION;

20 (B) BE CONDUCTED IN GOOD FAITH; AND

21 (C) APPLY EVENHANDEDLY THE TRANSPORTATION NETWORK
22 COMPANY'S DEACTIVATION POLICY, CONSISTENT WITH THE
23 TRANSPORTATION NETWORK COMPANY'S INTEREST IN SAFE AND EFFICIENT
24 OPERATIONS.

25 (IV) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF
26 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE A WRITTEN
27 STATEMENT THAT THE TRANSPORTATION NETWORK COMPANY SENDS THE

1 DRIVER THROUGH THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
2 PLATFORM AND VIA EMAIL OR OTHER MECHANISM THAT THE
3 TRANSPORTATION NETWORK COMPANY REASONABLY EXPECTS WILL
4 REMAIN ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR. THE
5 WRITTEN STATEMENT MUST INCLUDE:

6 (A) A DETERMINATION AFFIRMING DEACTIVATION AND INCLUDING
7 A SUMMARY OF THE REASONS FOR THE DEACTIVATION AND A DESCRIPTION
8 OF THE STEPS THE DRIVER MAY TAKE, IF ANY, TO REMEDY THE ALLEGED
9 VIOLATION; OR

10 (B) A DETERMINATION THAT THE DRIVER DID NOT VIOLATE THE
11 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY OR THAT
12 THE DRIVER REMEDIED ANY VIOLATION OF THE POLICY, WHICH
13 DETERMINATION MUST BE ACCOMPANIED BY REACTIVATION OF THE
14 DRIVER'S ACCOUNT WITHIN TWENTY-FOUR HOURS AFTER THE
15 DETERMINATION IS MADE.

16 (V) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF
17 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE THE OPTION
18 FOR THE PARTY THAT FILED A COMPLAINT PURSUANT TO SUBSECTION
19 (3)(d)(I) OF THIS SECTION TO OPT IN TO RECEIVE UPDATES THAT THE
20 TRANSPORTATION NETWORK COMPANY SENDS THROUGH THE
21 TRANSPORTATION NETWORK COMPANY'S DIGITAL PLATFORM AND VIA
22 EMAIL DETAILING THE DISPOSITION OF THE DRIVER'S CHALLENGE.

23 (VI) A TRANSPORTATION NETWORK COMPANY THAT COMPLIES
24 WITH THE REQUIREMENTS OF THIS SECTION IS NOT LIABLE FOR CLAIMS
25 ARISING OUT OF THE DEACTIVATION OR REACTIVATION OF A DRIVER'S
26 ACCESS TO THE TRANSPORTATION NETWORK'S DIGITAL PLATFORM.

27 (5) (a) If any A person files a complaint with the commission

1 against a transportation network company or driver, the commission may
2 inspect the transportation network company's records as reasonably
3 necessary to investigate and resolve the complaint.

4 (b) IF A PERSON FILES A COMPLAINT AGAINST A TRANSPORTATION
5 NETWORK COMPANY OR DRIVER, THE TRANSPORTATION NETWORK
6 COMPANY SHALL RESPOND TO A SUBPOENA OR SEARCH WARRANT FOR
7 INFORMATION RELATED TO THE COMPLAINT FROM A COURT, THE OFFICE OF
8 THE ATTORNEY GENERAL, A DISTRICT ATTORNEY'S OFFICE, THE
9 COMMISSION, OR A LAW ENFORCEMENT AGENCY NO LATER THAN TWO
10 BUSINESS DAYS AFTER THE REQUEST IS MADE, UNLESS OTHERWISE AGREED
11 UPON BY THE SUBPOENAING PARTY.

12 (7) (c) (I) THE ATTORNEY GENERAL OR A PERSON INJURED OR
13 HARMED BY AN ALLEGED VIOLATION OF THIS SECTION THAT RESULTS IN
14 INJURY, HARM, KIDNAPPING, SEXUAL ASSAULT, OR DEATH TO A MINOR
15 MAY INITIATE A CIVIL PROCEEDING IN A DISTRICT COURT AGAINST A
16 TRANSPORTATION NETWORK COMPANY, A DRIVER, OR A RIDER THAT
17 VIOLATES THIS SECTION.

18 (II) A PERSON INJURED OR HARMED BY AN ALLEGED VIOLATION OF
19 THIS SECTION COMMITTED BY A TRANSPORTATION NETWORK COMPANY, A
20 DRIVER, OR A RIDER THAT RESULTS IN DEATH, SEXUAL ASSAULT,
21 KIDNAPPING, OR PERSONAL INJURY TO AN INDIVIDUAL WHO IS NOT A MINOR
22 MAY INITIATE A CIVIL PROCEEDING IN A DISTRICT COURT AGAINST THE
23 TRANSPORTATION NETWORK COMPANY, THE DRIVER, OR THE RIDER.

24 (III) A VIOLATION OF THIS SECTION BY A TRANSPORTATION
25 NETWORK COMPANY THAT RESULTS IN INJURY OR DEATH TO AN
26 INDIVIDUAL HAS A SIGNIFICANT PUBLIC IMPACT.

27 (7.5) (a) A TRANSPORTATION NETWORK COMPANY:

1 (I) SHALL ENSURE THAT A DRIVER OR RIDER MAY OPT IN TO AUDIO
2 AND VIDEO RECORDING OF EACH PREARRANGED RIDE IN ACCORDANCE
3 WITH RULES ADOPTED BY THE COMMISSION PURSUANT TO SUBSECTION
4 (7.5)(b) OF THIS SECTION; AND

5 (II) SHALL NOT CHARGE A FEE OR INCREASE THE COST OF A
6 PREARRANGED RIDE FOR A RIDER WHO OPTS IN TO AUDIO AND VIDEO
7 RECORDING PURSUANT TO THIS SUBSECTION (7.5).

8 (b) ON OR BEFORE NOVEMBER 1, 2025, THE COMMISSION SHALL
9 ADOPT RULES:

10 (I) ESTABLISHING REQUIREMENTS AND PROCEDURES FOR AUDIO
11 AND VIDEO RECORDING OF A PREARRANGED RIDE CONDUCTED PURSUANT
12 TO SUBSECTION (7.5)(a) OF THIS SECTION, INCLUDING RULES REGARDING:

13 (A) THE DEADLINES FOR IMPLEMENTATION OF AUDIO AND VIDEO
14 RECORDING;

15 (B) ACCESS TO, STORAGE OF, AND ENCRYPTION OF AUDIO AND
16 VIDEO RECORDING;

17 (C) TRANSFERRING AUDIO AND VIDEO RECORDING AND RELATED
18 DATA BETWEEN A TRANSPORTATION NETWORK COMPANY AND THE DRIVER
19 OR RIDER;

20 (D) NOTIFICATION BY A TRANSPORTATION NETWORK COMPANY TO
21 A DRIVER AND RIDER THAT A PREARRANGED RIDE IS CONTINUOUSLY AUDIO
22 AND VIDEO RECORDED; AND

23 (E) EDUCATION PROVIDED BY A TRANSPORTATION NETWORK
24 COMPANY TO A DRIVER AND RIDER REGARDING THE SAFETY BENEFITS OF
25 AUDIO AND VIDEO RECORDING OF A PREARRANGED RIDE;

26 (II) GOVERNING TECHNOLOGY FAILURES RELATED TO AUDIO AND
27 VIDEO RECORDING CONDUCTED PURSUANT TO SUBSECTION (7.5)(a) OF THIS

1 SECTION, INCLUDING RULES THAT HOLD HARMLESS A TRANSPORTATION
2 NETWORK COMPANY FOR A TECHNOLOGICAL FAILURE OUTSIDE OF THE
3 CONTROL OF THE TRANSPORTATION NETWORK COMPANY IF THE
4 TRANSPORTATION NETWORK COMPANY IS OTHERWISE ACTING IN GOOD
5 FAITH TO CONDUCT AUDIO AND VIDEO RECORDING OF A PREARRANGED
6 RIDE PURSUANT TO SUBSECTION (7.5)(a) OF THIS SECTION.

7 (III) TO ENSURE THAT A DRIVER DOES NOT SUFFER AN UNDUE
8 BURDEN FROM PURCHASING TECHNOLOGY TO ENABLE AUDIO AND VIDEO
9 RECORDING CONDUCTED PURSUANT TO SUBSECTION (7.5)(a) OF THIS
10 SECTION.

11 (7.7) (a) A TRANSPORTATION NETWORK COMPANY SHALL
12 MAINTAIN CLEAR POLICIES PROHIBITING DRIVERS OR RIDERS FROM
13 OFFERING, SELLING, OR PROVIDING FOOD OR BEVERAGE TO ANOTHER
14 DRIVER OR RIDER.

15 (b) THE COMMISSION MAY CONDUCT RANDOM COMPLIANCE
16 CHECKS TO ENSURE THAT A TRANSPORTATION NETWORK COMPANY IS IN
17 COMPLIANCE WITH SUBSECTION (7.7)(a) OF THIS SECTION.

18 (7.8) (a) A TRANSPORTATION NETWORK COMPANY SHALL NOT:

19 (I) ALTER THE RATING A RIDER ASSIGNED A DRIVER OR THE RATING
20 A DRIVER ASSIGNED A RIDER ON A TRANSPORTATION NETWORK COMPANY'S
21 DIGITAL PLATFORM;

22 (II) ASSIGN AN AUTOMATIC OR DEFAULT DRIVER RATING THAT THE
23 RIDER DID NOT ASSIGN; OR

24 (III) ASSIGN AN AUTOMATIC OR DEFAULT RIDER RATING THAT THE
25 DRIVER DID NOT ASSIGN.

26 (b) A TRANSPORTATION NETWORK COMPANY MAY DELETE
27 RATINGS OR REVIEWS THAT ARE MOTIVATED BY BIAS OR FRAUD.

1 ==
2 (11) SUBSECTIONS (3)(c)(VII), (3)(c)(IX), (3)(d), (3)(e), (7)(c),
3 (7.5), (7.7), AND (7.8) OF THIS SECTION DO NOT APPLY TO A
4 TRANSPORTATION NETWORK COMPANY THAT:

5 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
6 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
7 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM
8 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL
9 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF
10 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

11 (b) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION
12 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S
13 RULES PROMULGATED PURSUANT TO SECTION 40-10.1-608 (3)(a).

14 **SECTION 4.** In Colorado Revised Statutes, 40-10.1-609, **add** (3)
15 and (4) as follows:

16 **40-10.1-609. Reporting requirements - report - rules.** (3) ON
17 OR BEFORE FEBRUARY 1, 2026, AND ON OR BEFORE FEBRUARY 1 EACH
18 YEAR THEREAFTER, A TRANSPORTATION NETWORK COMPANY SHALL
19 SUBMIT A REPORT THAT INCLUDES THE FOLLOWING DATA TO THE
20 COMMISSION, THE ATTORNEY GENERAL, AND EACH MEMBER OF THE
21 GENERAL ASSEMBLY:

22 (a) THE NUMBER OF REPORTED SAFETY INCIDENTS INVOLVING A
23 DRIVER WHO PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED
24 SERVICES FROM THE TRANSPORTATION NETWORK COMPANY IN THE
25 PRECEDING CALENDAR YEAR. THE REPORT MUST INCLUDE THE NUMBER OF
26 REPORTED INSTANCES OF:

27 (I) PHYSICAL ASSAULT;

- 1 (II) SEXUAL ASSAULT;
- 2 (III) VERBAL THREATS;
- 3 (IV) STALKING;
- 4 (V) HARASSMENT;
- 5 (VI) THEFT;
- 6 (VII) A MOTOR VEHICLE ACCIDENT; AND _____
- 7 (VIII) HOMICIDE; AND

8 (b) THE NUMBER OF REPORTED INCIDENTS OF DISCRIMINATORY
9 SPEECH OR DISCRIMINATORY CONDUCT INVOLVING A DRIVER WHO
10 PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED SERVICES FROM THE
11 TRANSPORTATION NETWORK COMPANY.

12 (4) SUBSECTION (3) OF THIS SECTION DOES NOT APPLY TO A
13 TRANSPORTATION NETWORK COMPANY THAT:

14 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
15 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
16 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM
17 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL
18 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF
19 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

20 (b) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION
21 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S
22 RULES PROMULGATED PURSUANT TO SECTION 40-10.1-608 (3)(a).

23 **SECTION 5.** In Colorado Revised Statutes, **add** 40-10.1-610 as
24 follows:

25 **40-10.1-610. Consumer protection - waiver of rights void -**
26 **biometric data and biometric identifiers - safety policies - training -**
27 **data retention - rules.** (1) A PROVISION IN A CONTRACT BETWEEN A

1 TRANSPORTATION NETWORK COMPANY AND A DRIVER OR RIDER IS VOID AS
2 AGAINST PUBLIC POLICY IF THE PROVISION:

3 (a) ATTEMPTS TO WAIVE OR WAIVES A RIGHT SPECIFIED IN THIS
4 PART 6;

5 (b) ATTEMPTS TO WAIVE OR WAIVES A RIGHT PROVIDED BY THE
6 "COLORADO CONSUMER PROTECTION ACT", ARTICLE 1 OF TITLE 6;

7 (c) ATTEMPTS TO WAIVE OR WAIVES THE RIGHT TO A JURY TRIAL
8 FOR A CLAIM INVOLVING SEXUAL MISCONDUCT OR SEXUAL ASSAULT; OR

9 (d) CONTAINS A MANDATORY ARBITRATION CLAUSE THAT LIMITS
10 THE RIGHTS OF A DRIVER OR RIDER TO SEEK JUDICIAL RELIEF FOR A CLAIM
11 INVOLVING SEXUAL MISCONDUCT OR SEXUAL ASSAULT.

12 (2) (a) WITHIN THREE MONTHS AFTER THE EFFECTIVE DATE OF THIS
13 SECTION, A TRANSPORTATION NETWORK COMPANY SHALL:

14 (I) DEVELOP A POLICY TO PREVENT IMPOSTER ACCOUNTS,
15 ACCOUNT SHARING, AND ACCOUNT RENTING;

16 (II) DEVELOP A POLICY TO PREVENT SEXUAL ASSAULT, PHYSICAL
17 ASSAULT, AND HOMICIDE AGAINST OR COMMITTED BY THE
18 TRANSPORTATION NETWORK COMPANY'S DRIVERS;

19 (III) DEVELOP AND ENFORCE A POLICY PROHIBITING THE
20 TRANSPORT OF AN UNACCOMPANIED YOUTH UNLESS THE YOUTH IS PART
21 OF A DULY AUTHORIZED FAMILY ACCOUNT, IN WHICH A PARENT OR
22 GUARDIAN MUST BE PRESENT WHEN THE YOUTH ENTERS THE VEHICLE OR
23 CONFIRMS AUTHORIZATION FOR THE PREARRANGED RIDE;

24 (IV) EXCEPT AS AUTHORIZED IN A POLICY DEVELOPED PURSUANT
25 TO SUBSECTION (2)(a)(III) OF THIS SECTION, DEVELOP A POLICY THAT
26 ALLOWS A DRIVER TO REFUSE A PREARRANGED RIDE TO AN INDIVIDUAL
27 WHO IS NOT AUTHORIZED TO USE THE ACCOUNT REQUESTING THE

1 PREARRANGED RIDE. THE POLICY MUST ENSURE THAT THE DRIVER IS NOT
2 PENALIZED BY THE TRANSPORTATION NETWORK COMPANY FOR REFUSING
3 A PREARRANGED RIDE TO AN INDIVIDUAL WHO IS NOT THE AUTHORIZED
4 RIDER ON THE ACCOUNT REQUESTING THE PREARRANGED RIDE.

5 (V) DEVELOP A POLICY ESTABLISHING PROCEDURES FOR
6 DEACTIVATION OF A DRIVER IF THE TRANSPORTATION NETWORK COMPANY
7 IS NOTIFIED OF AN ALLEGATION AGAINST A DRIVER AS DESCRIBED IN
8 SECTION 40-10.1-605 (3)(d);

9 (VI) DEVELOP A POLICY TO NOTIFY AND TRAIN DRIVERS AND
10 RIDERS OF ANY UPDATES TO TRANSPORTATION NETWORK COMPANY
11 SAFETY POLICIES;

12 (VII) DEVELOP A POLICY REQUIRING DRIVERS TO REPORT AND A
13 PROCESS FOR DRIVERS TO REPORT INFORMATION REGARDING A
14 CONVICTION OF OR A PLEA OF GUILTY OR NOLO CONTENDERE TO THE
15 OFFENSES DESCRIBED IN SECTION 40-10.1-605 (3)(c)(I);

16 (VIII) DEVELOP A POLICY TO PREVENT CRIMES COMMITTED
17 AGAINST DRIVERS BY RIDERS;

18 (IX) DEVELOP A POLICY TO PROHIBIT DRIVERS FROM OFFERING OR
19 SELLING FOOD OR A BEVERAGE TO RIDERS AS DESCRIBED IN SECTION
20 40-10.1-605 (7.7)(a);

21 (X) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
22 SUBSECTION (2) TO THE ATTORNEY GENERAL AND TO THE COMMISSION;
23 AND

24 (XI) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
25 SUBSECTION (2) TO EVERY DRIVER WHO PROVIDES SERVICES FOR THE
26 TRANSPORTATION NETWORK COMPANY.

27 (b) WITHIN TEN BUSINESS DAYS AFTER AN UPDATE TO A POLICY

1 CREATED PURSUANT TO THIS SUBSECTION (2), A TRANSPORTATION
2 NETWORK COMPANY SHALL PROVIDE A COPY OF THE UPDATED POLICY TO
3 THE ATTORNEY GENERAL, THE COMMISSION, AND EVERY DRIVER WHO
4 PROVIDES SERVICES FOR THE TRANSPORTATION NETWORK COMPANY.

5 (3) (a) A TRANSPORTATION NETWORK COMPANY SHALL NOT
6 COLLECT BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR
7 RIDER WITHOUT FIRST OBTAINING THE CONSENT OF THE DRIVER OR RIDER.

8 (b) IF A TRANSPORTATION NETWORK COMPANY COLLECTS
9 BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR RIDER,
10 THE TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH SECTION
11 6-1-1314.

12 (4) (a) A TRANSPORTATION NETWORK COMPANY SHALL PROCESS
13 DATA IN COMPLIANCE WITH THE "COLORADO PRIVACY ACT", PART 13 OF
14 ARTICLE 1 OF TITLE 6.

15 (b) ON OR BEFORE NOVEMBER 1, 2025, THE COMMISSION SHALL
16 ADOPT RULES GOVERNING THE RETENTION, STORAGE, AND USE OF AND
17 ACCESS TO THE DATA COLLECTED BY A TRANSPORTATION NETWORK
18 COMPANY.

19 (c) UNTIL THE COMMISSION ADOPTS RULES GOVERNING DATA
20 COLLECTED BY A TRANSPORTATION NETWORK COMPANY PURSUANT TO
21 SUBSECTION (4)(b) OF THIS SECTION, A TRANSPORTATION NETWORK
22 COMPANY SHALL RETAIN ALL AUDIO AND VIDEO RECORDINGS FROM A
23 PREARRANGED RIDE FOR THIRTY DAYS AFTER THE PREARRANGED RIDE;
24 EXCEPT THAT, IF A PERSON FILES A COMPLAINT AGAINST A
25 TRANSPORTATION NETWORK COMPANY WITH THE COMMISSION OR A
26 PREARRANGED RIDE IS THE SUBJECT OF AN ACTIVE LAW ENFORCEMENT
27 INVESTIGATION, THE TRANSPORTATION NETWORK COMPANY SHALL RETAIN

1 THE AUDIO AND VIDEO RECORDING FOR ONE YEAR OR UNTIL THE
2 INVESTIGATION IS COMPLETED, WHICHEVER IS LONGER.

3 (d) ON OR BEFORE NOVEMBER 1, 2025, THE COMMISSION SHALL
4 ADOPT RULES GOVERNING A COMPLAINANT'S ACCESS TO THE DATA
5 COLLECTED BY A TRANSPORTATION NETWORK COMPANY RELATED TO A
6 COMPLAINT FILED PURSUANT TO SECTION 40-10.1-605 (3)(d)(I).

7 (5) THIS SECTION DOES NOT APPLY TO A TRANSPORTATION
8 NETWORK COMPANY THAT:

9 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
10 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
11 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM
12 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL
13 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF
14 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

15 (b) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION
16 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S
17 RULES PROMULGATED PURSUANT TO SECTION 40-10.1-608 (3)(a).

18 **SECTION 6.** In Colorado Revised Statutes, 40-7-113, **amend** (1)
19 introductory portion and (1)(g); and **add** (1)(b.5) as follows:

20 **40-7-113. Civil penalties - fines.** (1) In addition to any other
21 penalty otherwise authorized by law and except as otherwise provided in
22 subsections (3) and (4) of this section, ~~any~~ A person ~~who~~ THAT violates
23 article 10.1 or 10.5 of this title 40 or ~~any~~ A rule ~~promulgated~~ ADOPTED by
24 the commission pursuant to article 10.1 or 10.5 OF THIS TITLE 40, which
25 article or rule is applicable to the person, may be subject to fines as
26 ~~specified in the following paragraphs~~ FOLLOWS:

27 (b.5) A TRANSPORTATION NETWORK COMPANY THAT VIOLATES

1 PART 6 OF ARTICLE 10.1 OF THIS TITLE 40 MAY BE ASSESSED A CIVIL
2 PENALTY AS DETERMINED BY THE COMMISSION BY RULE.

3 (g) A person ~~who~~ THAT violates ~~any~~ A provision of article 10.1 or
4 10.5 of this title 40 not enumerated in subsection (1)(a), (1)(b), **(1)(b.5)**,
5 or (1)(e) of this section, ~~any~~ A rule ~~promulgated~~ ADOPTED by the
6 commission pursuant to this title 40, or ~~any~~ A safety rule adopted by the
7 department of public safety relating to motor carriers as defined in section
8 40-10.1-101 may be assessed a civil penalty of not more than one
9 thousand one hundred dollars; except that ~~any~~ A person ~~who~~ THAT
10 violates a safety rule ~~promulgated~~ ADOPTED by the commission is subject
11 to the civil penalties authorized pursuant to 49 CFR 386, subpart G, and
12 associated appendices to ~~part 386~~ **49 CFR 386**, as the subpart existed on
13 January 1, 2017.

14 **SECTION 7. Act subject to petition - effective date -**
15 **applicability.** (1) Sections 40-10.1-605 (7.5)(b) and 40-10.1-610 (4)(b)
16 and (4)(d), Colorado Revised Statutes, as enacted in sections 3 and 5 of
17 this act, respectively, take effect at 12:01 a.m. on the day following the
18 expiration of the ninety-day period after final adjournment of the general
19 assembly and the remainder of this act takes effect January 1, 2026;
20 except that, if a referendum petition is filed pursuant to section 1 (3) of
21 article V of the state constitution against this act or an item, section, or
22 part of this act within the ninety-day period after final adjournment of the
23 general assembly, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2026 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.

- 1 (2) This act applies to offenses committed on or after the
- 2 applicable effective date of this act.