

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 20, 2024
Date

Committee on Business, Labor, & Technology.

After consideration on the merits, the Committee recommends the following:

SB24-075 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add 8-4-126 as
4 follows:

5 **8-4-126. Transportation network companies - disclosures to**
6 **drivers - deactivation and suspension policies - disclosures to division**
7 **- definitions - enforcement - rules. (1) Definitions.** AS USED IN THIS
8 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (a) "AVAILABLE PLATFORM TIME" MEANS THE PERIOD WHEN A
10 DRIVER IS ACTIVE ON A TRANSPORTATION NETWORK COMPANY'S DIGITAL
11 PLATFORM WHILE AWAITING A TRANSPORTATION SERVICES REQUEST TO
12 COME THROUGH THE DIGITAL PLATFORM.

13 (b) "COMMISSION" MEANS THE PUBLIC UTILITIES COMMISSION
14 CREATED IN SECTION 40-2-101.

15 (c) "CONSUMER" MEANS AN INDIVIDUAL WHO USES A DIGITAL
16 PLATFORM TO ORDER TRANSPORTATION SERVICES FROM A TNC.

17 (d) (I) "CONSUMER PLATFORM TIME" MEANS THE PERIOD OF TIME
18 WHEN A DRIVER IS TRANSPORTING ONE OR MORE CONSUMERS OR RIDERS
19 ON A RIDE.

20 (II) "CONSUMER PLATFORM TIME", FOR SHARED RIDES, MEANS THE
21 PERIOD OF TIME COMMENCING WHEN THE FIRST CONSUMER OR RIDER
22 ENTERS A DRIVER'S VEHICLE AND ENDING WHEN THE LAST CONSUMER OR
23 RIDER EXITS THE DRIVER'S VEHICLE.

24 (e) (I) "DEACTIVATE" OR "DEACTIVATION" MEANS CONDUCT THAT
25 A TNC ENGAGES IN TO RESTRICT A DRIVER'S ACCESS TO THE TNC'S
26 DIGITAL PLATFORM FOR SEVENTY-TWO HOURS OR MORE.

27 (II) "DEACTIVATE" OR "DEACTIVATION" INCLUDES BLOCKING A

1 DRIVER'S ACCESS TO A DIGITAL PLATFORM, SUSPENDING A DRIVER, OR
2 CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE TO PROVIDE
3 TRANSPORTATION SERVICES FOR A TNC FOR SEVENTY-TWO HOURS OR
4 MORE.

5 (f) "DIGITAL PLATFORM" MEANS AN ONLINE APPLICATION, AN
6 INTERNET SITE, OR A SYSTEM, EITHER OF WHICH A TNC USES TO
7 FACILITATE, MANAGE, OR FACILITATE AND MANAGE TRANSPORTATION
8 SERVICES.

9 (g) (I) "DISPATCH PLATFORM TIME" MEANS THE PERIOD OF TIME
10 BETWEEN A DRIVER'S RECEIPT OF A REQUEST FOR A TRANSPORTATION TASK
11 THROUGH THE TNC'S DIGITAL PLATFORM AND THE TIME WHEN EITHER THE
12 DRIVER PICKS UP A CONSUMER OR RIDER OR WHEN A CONSUMER OR THE
13 DRIVER CANCELS THE RIDE.

14 (II) "DISPATCH PLATFORM TIME", FOR SHARED RIDES, MEANS THE
15 PERIOD OF TIME BETWEEN A DRIVER'S RECEIPT OF THE FIRST REQUEST FOR
16 A TRANSPORTATION TASK AND THE FIRST CONSUMER OR RIDER PICKUP.

17 (h) "DRIVER" MEANS A TRANSPORTATION NETWORK COMPANY
18 DRIVER AS DEFINED IN SECTION 40-10.1-602 (4).

19 (i) "DRIVER PAY BEFORE EXPENSES" MEANS THE TOTAL MONTHLY
20 AMOUNT THAT A TNC REMITS TO A DRIVER, DISAGGREGATED TO SHOW:

21 (I) PAY FOR TRANSPORTATION TASKS;
22 (II) PASS-THROUGHS;
23 (III) BONUS OR INCENTIVE PAY; AND
24 (IV) TIPS.

25 (j) "DRIVER TIPS BEFORE EXPENSES" MEANS THE TOTAL MONTHLY
26 AMOUNT OF TIPS THAT CONSUMERS PAY A TNC, THAT ARE INTENDED AS
27 PAYMENT TO THE DRIVER, AND THAT THE TNC REMITS TO THE DRIVER.

28 (k) "IRS BUSINESS MILEAGE DEDUCTION RATE" MEANS THE
29 FEDERAL INTERNAL REVENUE SERVICE'S PREVAILING MILEAGE
30 COST-DEDUCTION RATE FOR BUSINESS USE.

31 (l) "PASS-THROUGH" MEANS A SUM THAT A TNC PAYS A DRIVER
32 TO COVER COSTS, SUCH AS TOLLS, THAT THE DRIVER INCURS WHILE
33 PERFORMING WORK THROUGH A TNC'S DIGITAL PLATFORM.

34 (m) "RIDER" HAS THE SAME MEANING AS "TRANSPORTATION
35 NETWORK COMPANY RIDER" AS DEFINED IN SECTION 40-10.1-602 (5).

36 (n) (I) "SUSPEND" OR "SUSPENSION" MEANS CONDUCT THAT A TNC
37 ENGAGES IN TO BLOCK OR RESTRICT A DRIVER'S ACCESS TO THE DIGITAL
38 PLATFORM FOR A PERIOD OF LESS THAN SEVENTY-TWO HOURS.

39 (II) "SUSPEND" OR "SUSPENSION" INCLUDES:
40 (A) BLOCKING A DRIVER'S ACCESS TO THE DIGITAL PLATFORM;
41 (B) SUSPENDING A DRIVER; OR
42 (C) CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE
43 TO PROVIDE TRANSPORTATION SERVICES FOR THE TNC FOR LESS THAN

1 SEVENTY-TWO HOURS.

2 (o) "TIP" MEANS A GRATUITY THAT A CONSUMER:

3 (I) INDICATES THROUGH A DIGITAL PLATFORM AS INTENDED FOR

4 DIRECT PAYMENT TO A DRIVER; OR

5 (II) WOULD REASONABLY EXPECT TO BE PAID IN FULL TO A DRIVER.

6 (p) "TRANSPORTATION NETWORK COMPANY" OR "TNC" HAS THE

7 MEANING SET FORTH IN SECTION 40-10.1-602 (3); EXCEPT THAT THE TERM

8 DOES NOT INCLUDE A TNC THAT:

9 (I) 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 TNC'S REVENUE FROM CONTRACTS WITH A PUBLIC OR

12 PRIVATE SCHOOL, THE FEDERAL GOVERNMENT, A STATE, OR AN AGENCY

13 OR A POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR OF THE

14 STATE;

15 (II) HAS AT LEAST NINETY PERCENT OF THE TNC'S DRIVERS IN

16 COMPLIANCE WITH THE COMMISSION'S RULES PROMULGATED PURSUANT TO

17 SECTION 40-10.1-608 (3)(a);

18 (III) ATTESTS THAT THE TNC MEETS THE REQUIREMENTS SET

19 FORTH IN SUBSECTIONS (1)(p)(I) AND (1)(p)(II) OF THIS SECTION AND

20 SUBMITS AN ATTESTATION TO THE COMMISSION ON OR BEFORE JANUARY

21 1, 2025, AND WITH EACH PERMIT RENEWAL APPLICATION SUBMITTED TO

22 THE COMMISSION PURSUANT TO SECTION 40-10.1-606; AND

23 (IV) DISCLOSES TO A DRIVER THE DESTINATION AND EXPECTED

24 COMPENSATION FOR A RIDE BEFORE THE DRIVER ACCEPTS THE RIDE FOR

25 ALL TRANSPORTATION TASKS PROVIDED THROUGH THE TNC'S DIGITAL

26 PLATFORM.

27 (q) "TRANSPORTATION SERVICES" HAS THE SAME MEANING AS

28 "TRANSPORTATION NETWORK COMPANY SERVICES" AS DEFINED IN SECTION

29 40-10.1-602 (6).

30 (r) "TRANSPORTATION TASK" MEANS A DRIVER'S PROVISION OF

31 TRANSPORTATION SERVICES TO A CONSUMER OR TO ONE OR MORE RIDERS

32 FOR WHOM A CONSUMER ORDERS TRANSPORTATION SERVICES THROUGH

33 A TNC'S DIGITAL PLATFORM.

34 (2) **Effective date.** (a) ON OR BEFORE MAY 1, 2025, A

35 TRANSPORTATION NETWORK COMPANY SHALL DEVELOP A DEACTIVATION

36 AND SUSPENSION POLICY IN ACCORDANCE WITH SUBSECTION (3) OF THIS

37 SECTION.

38 (b) ON AND AFTER JUNE 1, 2025, A TNC:

39 (I) SHALL COMPLY WITH THE DEACTIVATION AND SUSPENSION

40 REQUIREMENTS SET FORTH IN SUBSECTION (3) OF THIS SECTION; AND

41 (II) IS SUBJECT TO ENFORCEMENT BY THE DIRECTOR PURSUANT TO

42 THIS ARTICLE 4.

43 (3) **Deactivation and suspension policy - disclosure - rules.**

1 (a) ON OR BEFORE MAY 1, 2025, A TRANSPORTATION NETWORK COMPANY
2 SHALL INFORM EACH DRIVER OF THE TNC'S DEACTIVATION AND
3 SUSPENSION POLICY AND THE TYPES OF VIOLATIONS THAT MAY WARRANT
4 DEACTIVATION OR SUSPENSION. THE TNC'S DEACTIVATION AND
5 SUSPENSION POLICY MUST:

6 (I) STATE THAT THE DEACTIVATION AND SUSPENSION POLICY IS
7 ENFORCEABLE AS A TERM OF THE TNC'S CONTRACT WITH A DRIVER;

8 (II) CLEARLY LIST THE CIRCUMSTANCES THAT CONSTITUTE A
9 VIOLATION THAT MAY WARRANT DEACTIVATION OR SUSPENSION UNDER
10 THE DEACTIVATION AND SUSPENSION POLICY AND INDICATE THE SPECIFIC
11 CONSEQUENCES FOR EACH LISTED VIOLATION, INCLUDING THE
12 CONSEQUENCES RESULTING IN:

13 (A) DEACTIVATION OR SUSPENSION AND THE SPECIFIC NUMBER OF
14 DAYS OR RANGE OF DAYS FOR A DEACTIVATION OR SUSPENSION; OR

15 (B) ANY OTHER SANCTION;

16 (III) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
17 FOR NOTIFYING A DRIVER OF A SUSPENSION OR A DEACTIVATION AND THE
18 REASON FOR THE SUSPENSION OR DEACTIVATION. THE PROCEDURES NEED
19 NOT REQUIRE THAT THE TNC PROVIDE THE DRIVER WITH A REASON FOR
20 THE SUSPENSION OR DEACTIVATION IF THE SUSPENSION OR DEACTIVATION
21 IS THE RESULT OF AN ALLEGATION OF ASSAULT OR OTHER EGREGIOUS
22 MISCONDUCT, INCLUDING AN ALLEGATION OF SEXUAL MISCONDUCT.

23 (IV) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
24 FOR THE RECONSIDERATION OF A DEACTIVATION DECISION AND THE
25 PROCESS BY WHICH A DRIVER MAY REQUEST A DEACTIVATION
26 RECONSIDERATION WITH THE TNC.

27 (b) IN ADDITION TO THE REQUIREMENTS SET FORTH IN SUBSECTION
28 (3)(a) OF THIS SECTION, A TNC'S DEACTIVATION AND SUSPENSION POLICY
29 MUST BE:

30 (I) SPECIFIC ENOUGH FOR A DRIVER TO UNDERSTAND WHAT
31 CONSTITUTES A VIOLATION OF THE POLICY AND HOW TO AVOID VIOLATING
32 THE POLICY;

33 (II) MADE AVAILABLE TO A DRIVER IN AN ELECTRONIC FORMAT
34 THAT IS READILY ACCESSIBLE BY:

35 (A) PROMINENTLY DISPLAYING THE POLICY AND E-MAILING THE
36 POLICY TO A NEW DRIVER AT THE TIME THAT THE DRIVER APPLIES TO WORK
37 AS A DRIVER FOR THE TNC;

38 (B) E-MAILING THE POLICY TO ALL DRIVERS ENGAGED ON THE
39 DIGITAL PLATFORM AT LEAST FOURTEEN DAYS BEFORE THE POLICY
40 BECOMES ENFORCEABLE; AND

41 (C) POSTING THE POLICY ONLINE, IN THE DIGITAL PLATFORM, OR
42 IN ANOTHER LOCATION THAT IS AVAILABLE TO THE PUBLIC ON AN ONGOING
43 BASIS FOR AT LEAST FOURTEEN DAYS BEFORE THE POLICY BECOMES

1 ENFORCEABLE;

2 (III) MADE AVAILABLE IN ENGLISH, SPANISH, ARABIC, AND UP TO
3 THREE ADDITIONAL LANGUAGES COMMONLY SPOKEN BY TNC DRIVERS IN
4 THE STATE, AS DETERMINED BY THE DIRECTOR BY RULE; AND

5 (IV) SENT TO THE DIVISION IN EACH REQUIRED LANGUAGE AND
6 MADE PUBLICLY AVAILABLE ON THE INTERNET FOR AT LEAST FOURTEEN
7 DAYS BEFORE THE POLICY BECOMES ENFORCEABLE. FOR ANY
8 AMENDMENTS MADE TO A TNC'S DEACTIVATION AND SUSPENSION POLICY,
9 THE TNC SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
10 (3).

11 (c) A TNC SHALL NOT DEACTIVATE OR SUSPEND A DRIVER UNLESS
12 THE DEACTIVATION OR SUSPENSION IS CONSISTENT WITH THE TNC'S
13 DEACTIVATION AND SUSPENSION POLICY, OR AMENDED DEACTIVATION
14 AND SUSPENSION POLICY, AS WRITTEN AND DISTRIBUTED IN ACCORDANCE
15 WITH THIS SUBSECTION (3).

16 (4) **Semiannual disclosures to the division.** ON AUGUST 1, 2026,
17 AND ON A SEMIANNUAL BASIS THEREAFTER, A TRANSPORTATION NETWORK
18 COMPANY SHALL MAKE THE FOLLOWING DISCLOSURES TO THE DIVISION:

19 (a) THE NUMBER OF DRIVER DEACTIVATIONS DURING THE
20 REPORTING PERIOD;

21 (b) THE NUMBER OF DEACTIVATION RECONSIDERATIONS:
22 (I) REQUESTED DURING THE REPORTING PERIOD;
23 (II) THAT OCCURRED DURING THE REPORTING PERIOD;
24 (III) THAT RESULTED IN DRIVER REACTIVATION; AND
25 (IV) THAT RESULTED IN CONFIRMATION OF THE DEACTIVATION;

26 (c) FOR EACH DRIVER AFFECTED BY A DEACTIVATION EVENT
27 LISTED IN SUBSECTION (4)(a) OR (4)(b) OF THIS SECTION, THE DRIVER'S
28 DEMOGRAPHIC INFORMATION, WHEN AVAILABLE, INCLUDING GENDER AND
29 GENDER IDENTITY AND THE DEFAULT LANGUAGE THE DRIVER HAS
30 SELECTED IN THE TNC'S DIGITAL PLATFORM;

31 (d) FOR EACH TRANSPORTATION TASK FOR WHICH THE TNC
32 DISPATCHES A DRIVER:

33 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL
34 IDENTIFIER ASSOCIATED WITH THE DRIVER;

35 (II) WHETHER THE RIDE WAS CANCELED AND, IF SO, BY WHOM;

36 (III) THE TOTAL MILEAGE DRIVEN DURING DISPATCH PLATFORM
37 TIME;

38 (IV) THE TOTAL MILEAGE DRIVEN DURING CONSUMER PLATFORM
39 TIME;

40 (V) THE STARTING AND ENDING ZIP CODE FOR THE
41 TRANSPORTATION TASK;

42 (VI) THE TOTAL DISPATCH PLATFORM TIME;

43 (VII) WHETHER THE RIDE CONTRIBUTED TO DRIVER COMPLETION

1 OF A QUEST OR INCENTIVE THAT LED TO BONUS COMPENSATION NOT TIED
2 EXCLUSIVELY TO THE INDIVIDUAL TRANSPORTATION TASK;
3 (VIII) THE TIME OF DAY OR NIGHT THAT THE TRANSPORTATION
4 TASK BEGAN;
5 (IX) THE TOTAL CONSUMER PLATFORM TIME;
6 (X) THE TOTAL AMOUNT THAT THE CONSUMER PAID FOR THE
7 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF ANY
8 TIP; AND
9 (XI) THE TOTAL AMOUNT THAT THE DRIVER RECEIVED FOR THE
10 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF THE
11 TIP, IF ANY, AND THE AMOUNT OF ANY PASS-THROUGHS FOR TOLLS OR
12 OTHER ITEMS SPECIFIC TO THE TRANSPORTATION TASK; AND
13 (e) FOR EACH DRIVER WHO WAS ACTIVATED OR LOGGED IN TO THE
14 TNC'S DIGITAL PLATFORM DURING THE REPORTING PERIOD:
15 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL
16 IDENTIFIER ASSOCIATED WITH THE DRIVER;
17 (II) THE TOTAL TIME THE DRIVER SPENT DURING THE REPORTING
18 PERIOD ON:
19 (A) DISPATCH PLATFORM TIME; AND
20 (B) CONSUMER PLATFORM TIME;
21 (III) THE TOTAL MILES DRIVEN DURING THE REPORTING PERIOD
22 WHILE THE DRIVER WAS ON:
23 (A) AVAILABLE PLATFORM TIME;
24 (B) DISPATCH PLATFORM TIME; AND
25 (C) CONSUMER PLATFORM TIME; AND
26 (IV) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER BY THE
27 TNC DURING THE REPORTING PERIOD, DISAGGREGATED TO SHOW:
28 (A) THE AMOUNT OF TIPS;
29 (B) THE AMOUNT OF PASS-THROUGHS;
30 (C) THE AMOUNT OF BONUS OR INCENTIVE COMPENSATION;
31 (D) THE AMOUNT OF COMPENSATION ASSOCIATED WITH
32 INDIVIDUAL TRANSPORTATION TASKS, EXCLUDING AMOUNTS DISCLOSED
33 IN SUBSECTIONS (4)(e)(IV)(A) TO (4)(e)(IV)(C) OF THIS SECTION; AND
34 (E) ANY OTHER AMOUNTS PAID TO THE DRIVER DURING THE
35 REPORTING PERIOD.
36 (5) **Public availability of TNC semiannual disclosures.** THE
37 INFORMATION THAT A TRANSPORTATION NETWORK COMPANY PROVIDES
38 THROUGH SEMIANNUAL DISCLOSURES IN ACCORDANCE WITH SUBSECTION
39 (4) OF THIS SECTION TO THE DIVISION IS A PUBLIC RECORD, AS DEFINED IN
40 SECTION 24-72-202 (6). PRIOR TO ANY DISCLOSURE OF THE INFORMATION
41 PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
42 72 OF TITLE 24, THE DIVISION SHALL:
43 (a) GIVE NOTICE TO THE TNC THAT PROVIDED THE DISCLOSURE

1 AND AFFORD THE TNC AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE;
2 AND
3 (b) REDACT THE INFORMATION TO PROTECT DRIVERS' IDENTITIES
4 AND PRIVACY.
5 (6) **Transparency for drivers and consumers.** (a) ON AND
6 AFTER FEBRUARY 1, 2025, AT THE TIME OF OFFERING A TRANSPORTATION
7 TASK TO A DRIVER FOR ACCEPTANCE, A TRANSPORTATION NETWORK
8 COMPANY SHALL ELECTRONICALLY DISCLOSE TO THE DRIVER:
9 (I) THE DISTANCE AND CARDINAL OR INTERCARDINAL DIRECTION
10 FROM THE DRIVER'S LOCATION TO THE CONSUMER'S OR RIDER'S
11 DESTINATION. FOR SHARED RIDES, THE RELEVANT DESTINATION IS THE
12 DESTINATION OF THE LAST CONSUMER OR RIDER THAT THE DRIVER DROPS
13 OFF.
14 (II) BEFORE ANY TIP IS ADDED, THE TOTAL AMOUNT OF MONEY
15 THAT THE TNC WILL PAY THE DRIVER FOR THE TRANSPORTATION TASK,
16 EXCLUDING ANY PASS-THROUGHS;
17 (III) THE AGGREGATE ESTIMATED MILEAGE THAT THE DRIVER WILL
18 DRIVE DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
19 FOR THE TRANSPORTATION TASK;
20 (IV) THE AGGREGATE ESTIMATED TIME THAT THE DRIVER WILL
21 SPEND DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
22 DURING THE TRANSPORTATION TASK; AND
23 (V) IF THE CONSUMER HAS ALREADY INDICATED A TIP AMOUNT,
24 THE AMOUNT OF THE TIP.
25 (b) WHEN A DRIVER RESUMES AVAILABLE PLATFORM TIME AFTER
26 COMPLETING A TRANSPORTATION TASK, A TNC SHALL ELECTRONICALLY
27 DISCLOSE TO THE DRIVER ON A SINGLE SCREEN ON THE DIGITAL PLATFORM:
28 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID FOR
29 THE TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED;
30 (II) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER FOR THE
31 TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED, EXCLUDING
32 PASS-THROUGHS, IF ANY; AND
33 (III) THE AMOUNT OF THE TIP, IF ANY.
34 (c) WITHIN TWENTY-FOUR HOURS AFTER DISCLOSING THE
35 INFORMATION REQUIRED TO BE DISCLOSED IN ACCORDANCE WITH
36 SUBSECTION (6)(b) OF THIS SECTION, THE TNC SHALL PROVIDE A COPY OF
37 THE INFORMATION TO THE DRIVER BY E-MAIL OR OTHER MECHANISM THAT
38 REMAINS ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR.
39 (d) AS SOON AS THE INFORMATION IS AVAILABLE TO A TNC, AND
40 BEFORE THE TNC OFFERS A CONSUMER THE OPTION TO TIP THE DRIVER,
41 THE TNC SHALL ELECTRONICALLY DISCLOSE TO THE CONSUMER ON A
42 SINGLE SCREEN ON THE DIGITAL PLATFORM:
43 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID OR

1 WILL PAY FOR THE TRANSPORTATION TASK, EXCLUDING ANY TIP; AND
2 (II) THE TOTAL AMOUNT OF MONEY THAT THE DRIVER RECEIVED
3 OR WILL RECEIVE FOR THE TRANSPORTATION TASK BEFORE ANY TIP IS
4 ADDED, EXCLUDING PASS-THROUGHS, IF ANY.
5 (e) THE INFORMATION DISCLOSED TO DRIVERS AND CONSUMERS
6 PURSUANT TO THIS SUBSECTION (6) MUST BE:
7 (I) PROMINENTLY DISPLAYED ON THE SINGLE SCREEN ON THE
8 DIGITAL PLATFORM OR IN THE E-MAIL;
9 (II) IN A FONT THAT IS AT LEAST ONE AND ONE-HALF TIMES LARGER
10 THAN THE FONT USED TO PRESENT ANY OTHER INFORMATION ON THE
11 SCREEN OR IN THE E-MAIL; AND
12 (III) PRESENTED USING DESIGN TECHNIQUES INTENDED TO DRAW
13 THE EYE TO THE INFORMATION.
14 (f) A TNC SHALL DISCLOSE TO EACH DRIVER WHO ACTIVATED THE
15 TNC'S DIGITAL PLATFORM DURING THE PREVIOUS MONTH VIA E-MAIL OR
16 OTHER MECHANISM THAT REMAINS ACCESSIBLE TO THE DRIVER FOR AT
17 LEAST ONE YEAR THE FOLLOWING INFORMATION REGARDING THE DRIVER
18 FOR THE PREVIOUS MONTH OR PREVIOUS REPORTING PERIOD IF THE TNC
19 REGULARLY PROVIDES THE DISCLOSURES REQUIRED UNDER THIS
20 SUBSECTION (6)(f) MORE FREQUENTLY THAN MONTHLY:
21 (I) DRIVER PAY BEFORE EXPENSES;
22 (II) DRIVER TIPS BEFORE EXPENSES;
23 (III) THE TOTAL TIME THAT THE DRIVER SPENT ON:
24 (A) AVAILABLE PLATFORM TIME;
25 (B) DISPATCH PLATFORM TIME; AND
26 (C) CONSUMER PLATFORM TIME;
27 (IV) THE TOTAL MILES THAT THE DRIVER DROVE DURING THE
28 DRIVER'S:
29 (A) AVAILABLE PLATFORM TIME;
30 (B) DISPATCH PLATFORM TIME; AND
31 (C) CONSUMER PLATFORM TIME; AND
32 (V) THE TOTAL AMOUNT THE DRIVER MAY BE ENTITLED TO
33 DEDUCT FROM INCOME CALCULATED USING THE IRS BUSINESS MILEAGE
34 DEDUCTION RATE FOR ALL MILES KNOWN TO THE TNC TO HAVE BEEN
35 DRIVEN DURING THE DRIVER'S:
36 (A) AVAILABLE PLATFORM TIME;
37 (B) DISPATCH PLATFORM TIME; AND
38 (C) CONSUMER PLATFORM TIME.
39 (7) **Driver acceptance or rejection of a transportation task.** A
40 TRANSPORTATION NETWORK COMPANY SHALL NOT SUSPEND, DEACTIVATE,
41 OR RETALIATE AGAINST A DRIVER BASED ON THE DRIVER'S LAWFUL
42 ACCEPTANCE OR REJECTION OF ONE OR MORE TRANSPORTATION TASKS,
43 INCLUDING BY HAMPERING DRIVER ACCESS TO:

1 (a) DRIVER SUPPORT;
2 (b) RIDE OFFERS; OR
3 (c) DESTINATION OR AREA PREFERENCES.
4 (8) **Penalties, fines, and enforcement.** (a) IF A TRANSPORTATION
5 NETWORK COMPANY VIOLATES THIS SECTION, THE TNC MAY BE SUBJECT
6 TO:
7 (I) MONETARY DAMAGES IN THE AMOUNT OF ONE THOUSAND
8 DOLLARS, AS DETERMINED BY THE DIRECTOR OR BY A COURT IN A CIVIL
9 ACTION BROUGHT PURSUANT TO SUBSECTION (8)(d) OF THIS SECTION, ON
10 A PER-CONSUMER OR PER-DRIVER BASIS, WHICH AMOUNT THE TNC SHALL
11 PAY TO THE CONSUMER OR DRIVER AFFECTED BY THE VIOLATION;
12 (II) A FINE OF ONE HUNDRED DOLLARS PER VIOLATION, AS
13 DETERMINED BY THE DIRECTOR ON A PER-CONSUMER OR PER-DRIVER
14 BASIS, WHICH AMOUNT THE TNC SHALL PAY TO THE DIVISION. THE
15 DIVISION SHALL TRANSMIT ALL CIVIL FINES COLLECTED PURSUANT TO THIS
16 SUBSECTION (8)(a)(II) TO THE STATE TREASURER, WHO SHALL CREDIT THE
17 MONEY TO THE GENERAL FUND.
18 (III) INJUNCTIVE RELIEF PURSUANT TO SUBSECTION (8)(d)(II) OF
19 THIS SECTION.
20 (b) THE DIVISION MAY INVESTIGATE ALLEGED VIOLATIONS IN
21 RESPONSE TO COMPLAINTS FILED OR AT THE DIVISION'S DISCRETION.
22 (c) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR DRIVERS
23 AND CONSUMERS TO SUBMIT COMPLAINTS TO THE DIVISION AND FOR THE
24 DIVISION'S INVESTIGATIONS, HEARINGS, AND IMPOSITION OF FINES
25 PURSUANT TO THIS SUBSECTION (8).
26 (d) (I) A PERSON AGGRIEVED BY A TNC'S VIOLATION OF THIS
27 SECTION MAY FILE A CIVIL ACTION AGAINST THE TNC IN THE DISTRICT
28 COURT WHERE:
29 (A) THE PERSON RESIDES;
30 (B) THE VIOLATION OCCURRED; OR
31 (C) THE TNC HAS A PHYSICAL PLACE OF BUSINESS IN THE STATE.
32 (II) (A) THE PERSON FILING THE CIVIL ACTION MAY SEEK
33 INJUNCTIVE RELIEF FROM THE DISTRICT COURT TO COMPEL THE TNC TO
34 COMPLY WITH THIS SECTION OR MAY SEEK MONETARY DAMAGES AS
35 SPECIFIED IN SUBSECTION (8)(a)(I) OF THIS SECTION AND ANY ACTUAL
36 DAMAGES SUSTAINED.
37 (B) IF A PERSON PREVAILS ON ANY CLAIM RAISED IN A CIVIL
38 ACTION BROUGHT AGAINST A TNC UNDER THIS SUBSECTION (8)(d), THE
39 PERSON IS ENTITLED TO RECOVER COSTS AND REASONABLE ATTORNEY
40 FEES.
41 (9) **Rules.** THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO
42 IMPLEMENT THIS SECTION.
43 (10) **Public utilities commission's authority over TNCs.**

1 NOTHING IN THIS SECTION NEGATES, LIMITS, ALTERS, OR DISPLACES THE
2 COMMISSION'S AUTHORITY TO REGULATE TRANSPORTATION NETWORK
3 COMPANIES PURSUANT TO PART 6 OF ARTICLE 10.1 OF TITLE 40 OR
4 PREVENTS A DRIVER OR CONSUMER FROM SEEKING ENFORCEMENT BY THE
5 COMMISSION AGAINST AN ALLEGED VIOLATOR OR A REMEDY FOR A
6 VIOLATION OF PART 6 OF ARTICLE 10.1 OF TITLE 40.

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2024 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor."

16 Page 1, line 104, after "DEACTIVATION" insert "AND SUSPENSION".

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