

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 3, 2025  
Date

Committee on Business Affairs & Labor.

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

HB25-1291 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

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

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

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

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

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

21           (e) According to a study conducted by the University of Chicago,  
22 transportation network companies account for about a 3% annual increase  
23 in traffic-related fatalities, or roughly 987 people, including pedestrians,  
24 each year. This increase is due, in part, to the large number of drivers  
25 needed to provide quick response times.

26           (f) Transportation network companies have failed to develop and  
27 fully implement adequate protections on their own volition, despite

1 having direct knowledge of serious safety risks to riders and drivers;

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

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

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

21 (2) Therefore, the general assembly declares that the people of  
22 Colorado require legislation to ensure that all transportation modes,  
23 including transportation network companies, are safe, reliable, and just  
24 and that the people of Colorado have a transportation system that  
25 prioritizes their safety.

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

28 **40-10.1-602. Definitions.** As used in this part 6, unless the  
29 context otherwise requires:

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

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

39 (I) A DIGITAL OR PHYSICAL PHOTOGRAPH;  
40 (II) AN AUDIO OR VOICE RECORDING; OR  
41 (III) ANY DATA GENERATED FROM A DIGITAL OR PHYSICAL  
42 PHOTOGRAPH OR AN AUDIO OR VIDEO RECORDING.

43 (1.1) "BIOMETRIC IDENTIFIER" MEANS DATA GENERATED BY THE

1 TECHNOLOGICAL PROCESSING, MEASUREMENT, OR ANALYSIS OF A  
2 CONSUMER'S BIOLOGICAL, PHYSICAL, OR BEHAVIORAL CHARACTERISTICS,  
3 WHICH DATA CAN BE PROCESSED FOR THE PURPOSE OF UNIQUELY  
4 IDENTIFYING AN INDIVIDUAL. "BIOMETRIC IDENTIFIER" INCLUDES:

- 5 (a) A FINGERPRINT;
- 6 (b) A VOICEPRINT;
- 7 (c) A SCAN OR RECORD OF AN EYE RETINA OR IRIS;
- 8 (d) A FACIAL MAP, FACIAL GEOMETRY, OR FACIAL TEMPLATE; OR
- 9 (e) OTHER UNIQUE BIOLOGICAL, PHYSICAL, OR BEHAVIORAL  
10 PATTERNS OR CHARACTERISTICS.

11 (1.3) "MINOR" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF  
12 AGE.

13 (1.5) "NAME-BASED JUDICIAL RECORD CHECK" HAS THE MEANING  
14 SET FORTH IN SECTION 22-2-119.3 (6)(d).

15 (1.7) "PERSONAL VEHICLE" MEANS A VEHICLE THAT IS USED BY A  
16 TRANSPORTATION NETWORK COMPANY DRIVER IN CONNECTION WITH  
17 PROVIDING SERVICES FOR A TRANSPORTATION NETWORK COMPANY AND  
18 THAT MEETS THE VEHICLE CRITERIA SET FORTH IN THIS PART 6.

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

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

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

35 (c) (I) ~~A person~~ AN INDIVIDUAL who has been convicted of or pled  
36 guilty or nolo contendere to driving under the influence of drugs or  
37 alcohol in the previous ~~seven~~ THREE years before applying to become a  
38 driver shall not serve as a driver. If the criminal history record check  
39 PERFORMED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION reveals that  
40 the ~~person~~ INDIVIDUAL has ever been convicted of or pled guilty or nolo  
41 contendere to any of the following ~~felony~~ offenses, the ~~person~~  
42 INDIVIDUAL shall not serve as a driver:

43 (A) ~~An~~ A FELONY offense involving fraud, as described in article

- 1 5 of title 18; ~~C.R.S.~~;
- 2 (B) An offense involving unlawful sexual behavior, as defined in
- 3 section 16-22-102 (9); ~~C.R.S.~~;
- 4 (C) ~~An~~ A FELONY offense against property, as described in article
- 5 4 of title 18; ~~C.R.S.~~; or
- 6 (D) A crime of violence, as described in section 18-1.3-406;
- 7 ~~C.R.S.~~
- 8 (E) AN OFFENSE INVOLVING DOMESTIC VIOLENCE, AS DEFINED IN
- 9 SECTION 18-6-800.3 (1);
- 10 (F) AN OFFENSE INVOLVING STALKING, AS DESCRIBED IN SECTION
- 11 18-3-602;
- 12 (G) AN OFFENSE INVOLVING HARASSMENT, AS DESCRIBED IN
- 13 SECTION 18-9-111; OR
- 14 (H) AN OFFENSE INVOLVING MENACING, AS DESCRIBED IN SECTION
- 15 18-3-206.
- 16 (II) ~~A person~~ AN INDIVIDUAL who has been convicted of OR PLED
- 17 GUILTY OR NOLO CONTENDERE TO a comparable offense to the offenses
- 18 listed in ~~subparagraph (f) of this paragraph (c)~~ SUBSECTION (3)(c)(I) OF
- 19 THIS SECTION in another state or in the United States shall not serve as a
- 20 driver.
- 21 (V) A DRIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY OR
- 22 NOLO CONTENDERE TO AN OFFENSE LISTED IN SUBSECTION (3)(c)(I) OF
- 23 THIS SECTION SHALL NOTIFY THE TRANSPORTATION NETWORK COMPANY
- 24 WITHIN FORTY-EIGHT HOURS AFTER THE INDIVIDUAL'S CONVICTION WAS
- 25 PRONOUNCED OR PLEA WAS ENTERED.
- 26 (VI) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF OR PLED
- 27 GUILTY OR NOLO CONTENDERE TO DRIVING UNDER THE INFLUENCE OF
- 28 DRUGS OR ALCOHOL SHALL NOT SERVE AS A DRIVER FOR THREE YEARS
- 29 AFTER THE CONVICTION WAS PRONOUNCED OR THE PLEA WAS ENTERED.
- 30 (VII) AN INDIVIDUAL WHO HAS BEEN DISQUALIFIED OR REMOVED
- 31 FROM DRIVING FOR A TRANSPORTATION SERVICE REGULATED UNDER THIS
- 32 TITLE 40 OR DISQUALIFIED OR REMOVED FROM DRIVING UNDER A
- 33 SUBSTANTIALLY SIMILAR LAW OF ANOTHER STATE FOR AN INCIDENT
- 34 INVOLVING ANY OF THE FOLLOWING ACTIVITIES SHALL NOT SERVE AS A
- 35 DRIVER:
- 36 (A) PHYSICAL ASSAULT;
- 37 (B) SEXUAL ASSAULT;
- 38 (C) HARASSMENT;
- 39 (D) KIDNAPPING;
- 40 (E) FELONY ROBBERY;
- 41 (F) MENACING;
- 42 (G) ACCOUNT SHARING; OR
- 43 (H) IMPERSONATING A DRIVER.

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

3 (A) HAS AN AUTHORIZED PROFILE TO DRIVE FOR A  
4 TRANSPORTATION NETWORK COMPANY; AND

5 (B) IS CONFIRMED BY A TRANSPORTATION NETWORK COMPANY TO  
6 HAVE ALLOWED ANOTHER INDIVIDUAL TO DRIVE FOR THE  
7 TRANSPORTATION NETWORK COMPANY UNDER THE AUTHORIZED PROFILE  
8 OR HAS USED ANOTHER INDIVIDUAL'S AUTHORIZED PROFILE TO ACCEPT A  
9 PREARRANGED RIDE FOR A TRANSPORTATION NETWORK COMPANY.

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

18 (d) (I) A TRANSPORTATION NETWORK COMPANY SHALL INITIATE  
19 A REVIEW OF A DRIVER FOR DEACTIVATION PURSUANT TO SUBSECTION  
20 (3)(d)(II) OF THIS SECTION IF THE TRANSPORTATION NETWORK COMPANY  
21 IS NOTIFIED THROUGH A COMPLAINT FILED WITH THE TRANSPORTATION  
22 NETWORK COMPANY OR THE COMMISSION OR THROUGH CONTACT BY THE  
23 COMMISSION, THE OFFICE OF THE ATTORNEY GENERAL, A DISTRICT  
24 ATTORNEY'S OFFICE, OR LAW ENFORCEMENT AGENCY REGARDING AN  
25 ALLEGATION AGAINST THE DRIVER OF:

- 26 (A) PHYSICAL ASSAULT;
- 27 (B) SEXUAL ASSAULT;
- 28 (C) KIDNAPPING;
- 29 (D) FELONY ROBBERY;
- 30 (E) MENACING; OR
- 31 (F) HOMICIDE.

32 (II) WITHIN SEVENTY-TWO HOURS AFTER RECEIVING NOTICE OF AN  
33 ALLEGATION AGAINST A DRIVER AS DESCRIBED IN SUBSECTION (3)(d)(I) OF  
34 THIS SECTION, THE TRANSPORTATION NETWORK COMPANY SHALL REVIEW  
35 THE AVAILABLE EVIDENCE AND, IF THE TRANSPORTATION NETWORK  
36 COMPANY DETERMINES THAT THE ALLEGATION IS MORE THAN LIKELY TO  
37 HAVE OCCURRED, THE TRANSPORTATION NETWORK COMPANY SHALL  
38 DEACTIVATE THE DRIVER FROM THE TRANSPORTATION NETWORK  
39 COMPANY'S DIGITAL PLATFORM IN ACCORDANCE WITH THE  
40 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION AND SUSPENSION  
41 POLICY DEVELOPED PURSUANT TO SECTION 8-4-127.

42 (e) (I) A DRIVER WHO HAS BEEN DEACTIVATED PURSUANT TO  
43 SUBSECTION (3)(d) OF THIS SECTION MAY, WITHIN THIRTY CALENDAR DAYS

1 AFTER RECEIVING A WRITTEN NOTICE OF THE DEACTIVATION, CHALLENGE,  
2 IN WRITING, THE DEACTIVATION WITH THE TRANSPORTATION NETWORK  
3 COMPANY PURSUANT TO THE TRANSPORTATION NETWORK COMPANY'S  
4 INTERNAL DEACTIVATION REVIEW PROCESS ESTABLISHED PURSUANT TO  
5 SECTION 8-4-127 (5).

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

18 (III) A TRANSPORTATION NETWORK COMPANY'S INTERNAL  
19 DEACTIVATION REVIEW PROCESS DEVELOPED PURSUANT TO SECTION  
20 8-4-127 (5) MUST:

21 (A) REQUIRE CONSIDERATION OF ALL RELEVANT, AVAILABLE  
22 INFORMATION;

23 (B) BE CONDUCTED IN GOOD FAITH; AND

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

28 (IV) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF  
29 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE A WRITTEN  
30 STATEMENT THAT THE TRANSPORTATION NETWORK COMPANY SENDS THE  
31 DRIVER THROUGH THE TRANSPORTATION NETWORK COMPANY'S DIGITAL  
32 PLATFORM AND VIA EMAIL OR OTHER MECHANISM THAT THE  
33 TRANSPORTATION NETWORK COMPANY REASONABLY EXPECTS WILL  
34 REMAIN ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR. THE  
35 WRITTEN STATEMENT MUST INCLUDE:

36 (A) A DETERMINATION AFFIRMING DEACTIVATION AND INCLUDING  
37 A SUMMARY OF THE REASONS FOR THE DEACTIVATION AND A DESCRIPTION  
38 OF THE STEPS THE DRIVER MAY TAKE, IF ANY, TO REMEDY THE ALLEGED  
39 VIOLATION; OR

40 (B) A DETERMINATION THAT THE DRIVER DID NOT VIOLATE THE  
41 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY OR THAT  
42 THE DRIVER REMEDIED ANY VIOLATION OF THE POLICY, WHICH  
43 DETERMINATION MUST BE ACCOMPANIED BY REACTIVATION OF THE

1 DRIVER'S ACCOUNT WITHIN TWENTY-FOUR HOURS AFTER THE  
2 DETERMINATION IS MADE.

3 (V) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF  
4 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE A WRITTEN  
5 STATEMENT THAT THE TRANSPORTATION NETWORK COMPANY SENDS THE  
6 PARTY THAT FILED A COMPLAINT PURSUANT TO SUBSECTION (3)(d)(I) OF  
7 THIS SECTION THROUGH THE TRANSPORTATION NETWORK COMPANY'S  
8 DIGITAL PLATFORM AND VIA EMAIL DETAILING THE DISPOSITION OF THE  
9 DRIVER'S CHALLENGE.

10 (5) (a) If ~~any~~ A person files a complaint with the commission  
11 against a transportation network company or driver, the commission may  
12 inspect the transportation network company's records as reasonably  
13 necessary to investigate and resolve the complaint.

14 (b) IF A PERSON FILES A COMPLAINT AGAINST A TRANSPORTATION  
15 NETWORK COMPANY OR DRIVER, THE TRANSPORTATION NETWORK  
16 COMPANY SHALL RESPOND TO A SUBPOENA OR SEARCH WARRANT FOR  
17 INFORMATION RELATED TO THE COMPLAINT FROM A COURT, THE OFFICE OF  
18 THE ATTORNEY GENERAL, A DISTRICT ATTORNEY'S OFFICE, THE  
19 COMMISSION, OR A LAW ENFORCEMENT AGENCY NO LATER THAN  
20 FORTY-EIGHT HOURS AFTER THE REQUEST IS MADE.

21 (7) (c) (I) THE ATTORNEY GENERAL OR A PERSON INJURED OR  
22 HARMED BY AN ALLEGED VIOLATION OF THIS SECTION MAY INITIATE A  
23 CIVIL PROCEEDING IN A DISTRICT COURT AGAINST A TRANSPORTATION  
24 NETWORK COMPANY OR A DRIVER THAT VIOLATES THIS SECTION.

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

28 (7.5) (a) ON AND AFTER JANUARY 1, 2026, A TRANSPORTATION  
29 NETWORK COMPANY SHALL ENSURE THAT EACH PREARRANGED RIDE IS  
30 CONTINUOUSLY AUDIO AND VIDEO RECORDED FROM WHEN THE DRIVER  
31 PICKS UP THE RIDER IN A PERSONAL VEHICLE UNTIL WHEN THE RIDER  
32 DEPARTS FROM THE PERSONAL VEHICLE.

33 (b) A TRANSPORTATION NETWORK COMPANY SHALL:

34 (I) NOTIFY THE DRIVER IN AN ONLINE APPLICATION THAT EACH  
35 PREARRANGED RIDE IS CONTINUOUSLY AUDIO AND VIDEO RECORDED; AND

36 (II) ENSURE THAT EACH RIDER IN A PREARRANGED RIDE IS  
37 NOTIFIED IN THE PERSONAL VEHICLE THAT THE RIDE IS CONTINUOUSLY  
38 AUDIO AND VIDEO RECORDED.

39 (7.7) A DRIVER OR A RIDER SHALL NOT PROVIDE, OFFER TO  
40 PROVIDE, SELL, OR OFFER TO SELL TO ANOTHER DRIVER OR RIDER FOOD OR  
41 A BEVERAGE.

42 (11) SUBSECTIONS (3)(c)(VII), (3)(c)(IX), (3)(d), (3)(e), (7)(c),  
43 (7.5), AND (7.7) OF THIS SECTION DO NOT APPLY TO A TRANSPORTATION

1 NETWORK COMPANY THAT:  
2 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF  
3 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY  
4 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM  
5 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL  
6 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF  
7 THE FEDERAL GOVERNMENT OR OF THE STATE; AND  
8 (b) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION  
9 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S  
10 RULES PROMULGATED PURSUANT TO SECTION 40-10.1-608 (3)(a).  
11 **SECTION 4.** In Colorado Revised Statutes, 40-10.1-609, **add** (3)  
12 and (4) as follows:  
13 **40-10.1-609. Reporting requirements - report - rules.** (3) ON  
14 OR BEFORE FEBRUARY 1, 2026, AND ON OR BEFORE FEBRUARY 1 EACH  
15 YEAR THEREAFTER, A TRANSPORTATION NETWORK COMPANY SHALL  
16 SUBMIT A REPORT THAT INCLUDES THE FOLLOWING DATA TO THE  
17 COMMISSION, THE ATTORNEY GENERAL, AND EACH MEMBER OF THE  
18 GENERAL ASSEMBLY:  
19 (a) THE NUMBER OF REPORTED SAFETY INCIDENTS INVOLVING A  
20 DRIVER WHO PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED  
21 SERVICES FROM THE TRANSPORTATION NETWORK COMPANY IN THE  
22 PRECEDING CALENDAR YEAR. THE REPORT MUST INCLUDE THE NUMBER OF  
23 REPORTED INSTANCES OF:  
24 (I) PHYSICAL ASSAULT;  
25 (II) SEXUAL ASSAULT;  
26 (III) VERBAL THREATS;  
27 (IV) STALKING;  
28 (V) HARASSMENT;  
29 (VI) THEFT;  
30 (VII) A MOTOR VEHICLE ACCIDENT, INCLUDING AN INDICATION OF  
31 WHETHER THE DRIVER WAS AT FAULT OR THE DRIVER WAS NOT AT FAULT;  
32 AND  
33 (VIII) HOMICIDE; AND  
34 (b) THE NUMBER OF REPORTED INCIDENTS OF DISCRIMINATORY  
35 SPEECH OR DISCRIMINATORY CONDUCT INVOLVING A DRIVER WHO  
36 PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED SERVICES FROM THE  
37 TRANSPORTATION NETWORK COMPANY.  
38 (4) SUBSECTION (3) OF THIS SECTION DOES NOT APPLY TO A  
39 TRANSPORTATION NETWORK COMPANY THAT:  
40 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF  
41 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY  
42 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM  
43 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL



1 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF  
2 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

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

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

8 **40-10.1-610. Consumer protection - waiver of rights void -**  
9 **biometric data and biometric identifiers - safety policies - training -**  
10 **data retention - rules.** (1) A PROVISION IN A CONTRACT BETWEEN A  
11 TRANSPORTATION NETWORK COMPANY AND A RIDER IS VOID AS AGAINST  
12 PUBLIC POLICY IF THE PROVISION ATTEMPTS TO WAIVE OR WAIVES:

13 (a) A RIGHT SPECIFIED IN THIS PART 6;

14 (b) A RIGHT PROVIDED BY THE "COLORADO CONSUMER  
15 PROTECTION ACT", ARTICLE 1 OF TITLE 6; OR

16 (c) THE RIGHT TO A JURY TRIAL.

17 (2)(a) WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS  
18 SECTION, A TRANSPORTATION NETWORK COMPANY SHALL:

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

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

24 (III) DEVELOP AND ENFORCE A POLICY PROHIBITING THE  
25 TRANSPORT OF AN UNACCOMPANIED MINOR UNLESS THE MINOR IS PART OF  
26 A DULY AUTHORIZED FAMILY ACCOUNT, IN WHICH A PARENT OR GUARDIAN  
27 MUST BE PRESENT WHEN THE MINOR ENTERS THE VEHICLE OR CONFIRMS  
28 AUTHORIZATION FOR THE PREARRANGED RIDE;

29 (IV) EXCEPT AS AUTHORIZED IN A POLICY DEVELOPED PURSUANT  
30 TO SUBSECTION (2)(a)(III) OF THIS SECTION, DEVELOP A POLICY THAT  
31 ALLOWS A DRIVER TO REFUSE A PREARRANGED RIDE TO AN INDIVIDUAL  
32 WHO IS NOT AUTHORIZED TO USE THE ACCOUNT REQUESTING THE  
33 PREARRANGED RIDE. THE POLICY MUST ENSURE THAT THE DRIVER IS NOT  
34 PENALIZED BY THE TRANSPORTATION NETWORK COMPANY FOR REFUSING  
35 A PREARRANGED RIDE TO AN INDIVIDUAL WHO IS NOT THE AUTHORIZED  
36 RIDER ON THE ACCOUNT REQUESTING THE PREARRANGED RIDE.

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

41 (VI) DEVELOP A POLICY TO NOTIFY AND TRAIN DRIVERS AND  
42 RIDERS OF ANY UPDATES TO TRANSPORTATION NETWORK COMPANY  
43 POLICIES IMPACTING DRIVERS AND RIDERS;

1 (VII) DEVELOP A POLICY REQUIRING DRIVERS TO REPORT AND A  
2 PROCESS FOR DRIVERS TO REPORT INFORMATION REGARDING A  
3 CONVICTION OF OR A PLEA OF GUILTY OR NOLO CONTENDERE TO THE  
4 OFFENSES DESCRIBED IN SECTION 40-10.1-605 (3)(c)(I);  
5 (VIII) DEVELOP A POLICY TO PREVENT CRIMES COMMITTED  
6 AGAINST DRIVERS BY RIDERS;  
7 (IX) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS  
8 SUBSECTION (2) TO THE ATTORNEY GENERAL AND TO THE COMMISSION;  
9 AND  
10 (X) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS  
11 SUBSECTION (2) TO EVERY DRIVER WHO PROVIDES SERVICES FOR THE  
12 TRANSPORTATION NETWORK COMPANY.  
13 (b) WITHIN TEN BUSINESS DAYS AFTER AN UPDATE TO A POLICY  
14 CREATED PURSUANT TO THIS SUBSECTION (2), A TRANSPORTATION  
15 NETWORK COMPANY SHALL PROVIDE A COPY OF THE UPDATED POLICY TO  
16 THE ATTORNEY GENERAL, THE COMMISSION, AND EVERY DRIVER WHO  
17 PROVIDES SERVICES FOR THE TRANSPORTATION NETWORK COMPANY.  
18 (3) (a) A TRANSPORTATION NETWORK COMPANY SHALL NOT  
19 COLLECT BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR  
20 RIDER WITHOUT FIRST OBTAINING THE CONSENT OF THE DRIVER OR RIDER.  
21 (b) IF A TRANSPORTATION NETWORK COMPANY COLLECTS  
22 BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR RIDER,  
23 THE TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH SECTION  
24 6-1-1314.  
25 (4) (a) A TRANSPORTATION NETWORK COMPANY SHALL PROCESS  
26 DATA IN COMPLIANCE WITH THE "COLORADO PRIVACY ACT", PART 13 OF  
27 ARTICLE 1 OF TITLE 6.  
28 (b) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS  
29 SECTION, THE COMMISSION SHALL ADOPT RULES GOVERNING THE  
30 RETENTION, STORAGE, AND USE OF AND ACCESS TO THE DATA COLLECTED  
31 BY A TRANSPORTATION NETWORK COMPANY.  
32 (c) UNTIL THE COMMISSION ADOPTS RULES GOVERNING DATA  
33 COLLECTED BY A TRANSPORTATION NETWORK COMPANY PURSUANT TO  
34 SUBSECTION (4)(b) OF THIS SECTION, A TRANSPORTATION NETWORK  
35 COMPANY SHALL RETAIN ALL AUDIO AND VIDEO RECORDINGS FROM A  
36 PREARRANGED RIDE FOR THIRTY DAYS AFTER THE PREARRANGED RIDE;  
37 EXCEPT THAT, IF A PERSON FILES A COMPLAINT AGAINST A  
38 TRANSPORTATION NETWORK COMPANY WITH THE COMMISSION OR A  
39 PREARRANGED RIDE IS THE SUBJECT OF AN ACTIVE LAW ENFORCEMENT  
40 INVESTIGATION, THE TRANSPORTATION NETWORK COMPANY SHALL RETAIN  
41 THE AUDIO AND VIDEO RECORDING FOR ONE YEAR OR UNTIL THE  
42 INVESTIGATION IS COMPLETED, WHICHEVER IS LONGER.  
43 (d) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS

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

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

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

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

16 **SECTION 6.** In Colorado Revised Statutes, 40-7-113, ~~aend~~ (1)  
17 introductory portion and (1)(g); and ~~add~~ (1)(b.5) as follows:

18 **40-7-113. Civil penalties - fines.** (1) In addition to any other  
19 penalty otherwise authorized by law and except as otherwise provided in  
20 subsections (3) and (4) of this section, ~~any~~ A person ~~who~~ THAT violates  
21 article 10.1 or 10.5 of this title 40 or ~~any~~ A rule ~~promulgated~~ ADOPTED by  
22 the commission pursuant to article 10.1 or 10.5 OF THIS TITLE 40, which  
23 article or rule is applicable to the person, may be subject to fines as  
24 ~~specified in the following paragraphs~~ FOLLOWS:

25 (b.5) A TRANSPORTATION NETWORK COMPANY THAT VIOLATES  
26 PART 6 OF ARTICLE 10.1 OF THIS TITLE 40 MAY BE ASSESSED A CIVIL  
27 PENALTY OF NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS FOR  
28 EACH VIOLATION.

29 (g) A person ~~who~~ THAT violates ~~any~~ A provision of article 10.1 or  
30 10.5 of this title 40 not enumerated in subsection (1)(a), (1)(b), ~~(1)(b.5)~~,  
31 or (1)(e) of this section, ~~any~~ A rule ~~promulgated~~ ADOPTED by the  
32 commission pursuant to this title 40, or ~~any~~ A safety rule adopted by the  
33 department of public safety relating to motor carriers as defined in section  
34 40-10.1-101 may be assessed a civil penalty of not more than one  
35 thousand one hundred dollars; except that ~~any~~ A person ~~who~~ THAT  
36 violates a safety rule ~~promulgated~~ ADOPTED by the commission is subject  
37 to the civil penalties authorized pursuant to 49 CFR 386, subpart G, and  
38 associated appendices to ~~part 386~~ **49 CFR 386**, as the subpart existed on  
39 January 1, 2017.

40 **SECTION 7.** In Colorado Revised Statutes, 6-1-105, ~~add~~ (1)(iiii)  
41 and (1)(jjjj) as follows:

42 **6-1-105. Unfair or deceptive trade practices - definitions.**  
43 (1) A person engages in a deceptive trade practice when, in the course of

1 the person's business, vocation, or occupation, the person:  
2 (iii) MISREPRESENTS THE PERSON'S COMPLIANCE WITH PART 6 OF  
3 ARTICLE 10.1 OF TITLE 40;

4 (jjj) ALTERS THE RATING A RIDER ASSIGNED A DRIVER OR THE  
5 RATING A DRIVER ASSIGNED A RIDER ON A TRANSPORTATION NETWORK  
6 COMPANY'S DIGITAL PLATFORM, AS THOSE TERMS ARE DEFINED IN SECTION  
7 40-10.1-602, OR ASSIGNS AN AUTOMATIC OR DEFAULT DRIVER RATING  
8 THAT THE RIDER DID NOT ASSIGN.

9 **SECTION 8. Applicability.** This act applies to offenses  
10 committed on or after the effective date of this act.

11 **SECTION 9. Safety clause.** The general assembly finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety or for appropriations for  
14 the support and maintenance of the departments of the state and state  
15 institutions."

\*\* \*\* \*\* \*\* \*\*