

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0292.01 Jennifer Berman x3286

SENATE BILL 24-075

SENATE SPONSORSHIP

Priola and Rodriguez,

HOUSE SPONSORSHIP

Bacon,

Senate Committees

Business, Labor, & Technology
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR TRANSPORTATION NETWORK**
102 **COMPANIES, AND, IN CONNECTION THEREWITH, REQUIRING**
103 **TRANSPORTATION NETWORK COMPANIES TO COMPLY WITH**
104 **TRANSPARENCY REQUIREMENTS AND DEACTIVATION AND**
105 **SUSPENSION PROCEDURES.**

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 requires a transportation network company (TNC) operating in the state to provide various disclosures to the TNC's drivers

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.

regarding payments that a consumer makes to the TNC and the amount that the TNC then pays to a driver.

On or before May 1, 2025, a TNC is required to develop a driver deactivation policy describing the TNC's procedures for deactivating a driver from the TNC's digital platform.

The TNC is required to disclose to drivers its driver deactivation policy.

On a semiannual basis commencing August 1, 2026, a TNC is required to disclose to the division of labor standards and statistics (division) in the department of labor and employment information regarding transportation tasks completed and any deactivations of drivers during the previous reporting period.

The division may impose fines against a TNC for violations of the bill. A person aggrieved by a TNC's violation of the bill may file a civil suit against the TNC seeking damages or injunctive relief.

The director of the division may adopt rules to implement the bill.

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

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

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

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

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

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

16 **(d) (I) "CONSUMER PLATFORM TIME" MEANS THE PERIOD OF TIME**

1 WHEN A DRIVER IS TRANSPORTING ONE OR MORE CONSUMERS OR RIDERS
2 ON A RIDE.

3 (II) "CONSUMER PLATFORM TIME", FOR SHARED RIDES, MEANS THE
4 PERIOD OF TIME COMMENCING WHEN THE FIRST CONSUMER OR RIDER
5 ENTERS A DRIVER'S VEHICLE AND ENDING WHEN THE LAST CONSUMER OR
6 RIDER EXITS THE DRIVER'S VEHICLE.

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

10 (II) "DEACTIVATE" OR "DEACTIVATION" INCLUDES BLOCKING A
11 DRIVER'S ACCESS TO A DIGITAL PLATFORM, SUSPENDING A DRIVER, OR
12 CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE TO PROVIDE
13 TRANSPORTATION SERVICES FOR A TNC FOR SEVENTY-TWO HOURS OR
14 MORE.

15 (f) "DIGITAL PLATFORM" MEANS AN ONLINE APPLICATION, AN
16 INTERNET SITE, OR A SYSTEM, EITHER OF WHICH A TNC USES TO
17 FACILITATE, MANAGE, OR FACILITATE AND MANAGE TRANSPORTATION
18 SERVICES.

19 (g) (I) "DISPATCH PLATFORM TIME" MEANS THE PERIOD OF TIME
20 BETWEEN A DRIVER'S RECEIPT OF A REQUEST FOR A TRANSPORTATION TASK
21 THROUGH THE TNC'S DIGITAL PLATFORM AND THE TIME WHEN EITHER THE
22 DRIVER PICKS UP A CONSUMER OR RIDER OR WHEN A CONSUMER OR THE
23 DRIVER CANCELS THE RIDE.

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

27 (h) "DRIVER" MEANS A TRANSPORTATION NETWORK COMPANY

1 DRIVER AS DEFINED IN SECTION 40-10.1-602 (4).

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

4 (I) PAY FOR TRANSPORTATION TASKS;

5 (II) PASS-THROUGHS;

6 (III) BONUS OR INCENTIVE PAY; AND

7 (IV) TIPS.

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

11 (k) "IRS BUSINESS MILEAGE DEDUCTION RATE" MEANS THE
12 FEDERAL INTERNAL REVENUE SERVICE'S PREVAILING MILEAGE
13 COST-DEDUCTION RATE FOR BUSINESS USE.

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

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

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

22 (II) "SUSPEND" OR "SUSPENSION" INCLUDES:

23 (A) BLOCKING A DRIVER'S ACCESS TO THE DIGITAL PLATFORM;

24 (B) SUSPENDING A DRIVER; OR

25 (C) CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE
26 TO PROVIDE TRANSPORTATION SERVICES FOR THE TNC FOR LESS THAN
27 SEVENTY-TWO HOURS.

1 (o) "TIP" MEANS A GRATUITY THAT A CONSUMER:
2 (I) INDICATES THROUGH A DIGITAL PLATFORM AS INTENDED FOR
3 DIRECT PAYMENT TO A DRIVER; OR
4 (II) WOULD REASONABLY EXPECT TO BE PAID IN FULL TO A DRIVER.
5 (p) "TRANSPORTATION NETWORK COMPANY" OR "TNC" HAS THE
6 MEANING SET FORTH IN SECTION 40-10.1-602 (3); EXCEPT THAT THE TERM
7 DOES NOT INCLUDE A TNC THAT:
8 (I) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
9 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
10 PERCENT OF THE TNC'S REVENUE FROM CONTRACTS WITH A PUBLIC OR
11 PRIVATE SCHOOL, THE FEDERAL GOVERNMENT, A STATE, OR AN AGENCY
12 OR A POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR OF THE
13 STATE;
14 (II) HAS AT LEAST NINETY PERCENT OF THE TNC'S DRIVERS IN
15 COMPLIANCE WITH THE COMMISSION'S RULES PROMULGATED PURSUANT TO
16 SECTION 40-10.1-608 (3)(a);
17 (III) ATTESTS THAT THE TNC MEETS THE REQUIREMENTS SET
18 FORTH IN SUBSECTIONS (1)(p)(I) AND (1)(p)(II) OF THIS SECTION AND
19 SUBMITS AN ATTESTATION TO THE COMMISSION ON OR BEFORE JANUARY
20 1, 2025, AND WITH EACH PERMIT RENEWAL APPLICATION SUBMITTED TO
21 THE COMMISSION PURSUANT TO SECTION 40-10.1-606; AND
22 (IV) DISCLOSES TO A DRIVER THE DESTINATION AND EXPECTED
23 COMPENSATION FOR A RIDE BEFORE THE DRIVER ACCEPTS THE RIDE FOR
24 ALL TRANSPORTATION TASKS PROVIDED THROUGH THE TNC'S DIGITAL
25 PLATFORM.
26 (q) "TRANSPORTATION SERVICES" HAS THE SAME MEANING AS
27 "TRANSPORTATION NETWORK COMPANY SERVICES" AS DEFINED IN SECTION

1 40-10.1-602 (6).

2 (r) "TRANSPORTATION TASK" MEANS A DRIVER'S PROVISION OF
3 TRANSPORTATION SERVICES TO A CONSUMER OR TO ONE OR MORE RIDERS
4 FOR WHOM A CONSUMER ORDERS TRANSPORTATION SERVICES THROUGH
5 A TNC'S DIGITAL PLATFORM.

6 (2) **Effective date.** (a) ON OR BEFORE MAY 1, 2025, A
7 TRANSPORTATION NETWORK COMPANY SHALL DEVELOP A DEACTIVATION
8 AND SUSPENSION POLICY IN ACCORDANCE WITH SUBSECTION (3) OF THIS
9 SECTION.

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

11 (I) SHALL COMPLY WITH THE DEACTIVATION AND SUSPENSION
12 REQUIREMENTS SET FORTH IN SUBSECTION (3) OF THIS SECTION; AND

13 (II) IS SUBJECT TO ENFORCEMENT BY THE DIRECTOR PURSUANT TO
14 THIS ARTICLE 4.

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

16 (a) ON OR BEFORE MAY 1, 2025, A TRANSPORTATION NETWORK COMPANY
17 SHALL INFORM EACH DRIVER OF THE TNC'S DEACTIVATION AND
18 SUSPENSION POLICY AND THE TYPES OF VIOLATIONS THAT MAY WARRANT
19 DEACTIVATION OR SUSPENSION. THE TNC'S DEACTIVATION AND
20 SUSPENSION POLICY MUST:

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

23 (II) CLEARLY LIST THE CIRCUMSTANCES THAT CONSTITUTE A
24 VIOLATION THAT MAY WARRANT DEACTIVATION OR SUSPENSION UNDER
25 THE DEACTIVATION AND SUSPENSION POLICY AND INDICATE THE SPECIFIC
26 CONSEQUENCES FOR EACH LISTED VIOLATION, INCLUDING THE
27 CONSEQUENCES RESULTING IN:

1 (A) DEACTIVATION OR SUSPENSION AND THE SPECIFIC NUMBER OF
2 DAYS OR RANGE OF DAYS FOR A DEACTIVATION OR SUSPENSION; OR

3 (B) ANY OTHER SANCTION;

4 (III) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
5 FOR NOTIFYING A DRIVER OF A SUSPENSION OR A DEACTIVATION AND THE
6 REASON FOR THE SUSPENSION OR DEACTIVATION. THE PROCEDURES NEED
7 NOT REQUIRE THAT THE TNC PROVIDE THE DRIVER WITH A REASON FOR
8 THE SUSPENSION OR DEACTIVATION IF THE SUSPENSION OR DEACTIVATION
9 IS THE RESULT OF AN ALLEGATION OF ASSAULT OR OTHER EGREGIOUS
10 MISCONDUCT, INCLUDING AN ALLEGATION OF SEXUAL MISCONDUCT.

11 (IV) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
12 FOR THE RECONSIDERATION OF A DEACTIVATION DECISION AND THE
13 PROCESS BY WHICH A DRIVER MAY REQUEST A DEACTIVATION
14 RECONSIDERATION WITH THE TNC.

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

18 (I) SPECIFIC ENOUGH FOR A DRIVER TO UNDERSTAND WHAT
19 CONSTITUTES A VIOLATION OF THE POLICY AND HOW TO AVOID VIOLATING
20 THE POLICY;

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

23 (A) PROMINENTLY DISPLAYING THE POLICY AND E-MAILING THE
24 POLICY TO A NEW DRIVER AT THE TIME THAT THE DRIVER APPLIES TO WORK
25 AS A DRIVER FOR THE TNC;

26 (B) E-MAILING THE POLICY TO ALL DRIVERS ENGAGED ON THE
27 DIGITAL PLATFORM AT LEAST FOURTEEN DAYS BEFORE THE POLICY

1 BECOMES ENFORCEABLE; AND
2 (C) POSTING THE POLICY ONLINE, IN THE DIGITAL PLATFORM, OR
3 IN ANOTHER LOCATION THAT IS AVAILABLE TO THE PUBLIC ON AN ONGOING
4 BASIS FOR AT LEAST FOURTEEN DAYS BEFORE THE POLICY BECOMES
5 ENFORCEABLE;

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

9 (IV) SENT TO THE DIVISION IN EACH REQUIRED LANGUAGE AND
10 MADE PUBLICLY AVAILABLE ON THE INTERNET FOR AT LEAST FOURTEEN
11 DAYS BEFORE THE POLICY BECOMES ENFORCEABLE. FOR ANY
12 AMENDMENTS MADE TO A TNC'S DEACTIVATION AND SUSPENSION POLICY,
13 THE TNC SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
14 (3).

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

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

23 (a) THE NUMBER OF DRIVER DEACTIVATIONS DURING THE
24 REPORTING PERIOD;

25 (b) THE NUMBER OF DEACTIVATION RECONSIDERATIONS:

26 (I) REQUESTED DURING THE REPORTING PERIOD;

27 (II) THAT OCCURRED DURING THE REPORTING PERIOD;

- 1 (III) THAT RESULTED IN DRIVER REACTIVATION; AND
- 2 (IV) THAT RESULTED IN CONFIRMATION OF THE DEACTIVATION;
- 3 (c) FOR EACH DRIVER AFFECTED BY A DEACTIVATION EVENT
4 LISTED IN SUBSECTION (4)(a) OR (4)(b) OF THIS SECTION, THE DRIVER'S
5 DEMOGRAPHIC INFORMATION, WHEN AVAILABLE, INCLUDING GENDER AND
6 GENDER IDENTITY AND THE DEFAULT LANGUAGE THE DRIVER HAS
7 SELECTED IN THE TNC'S DIGITAL PLATFORM;
- 8 (d) FOR EACH TRANSPORTATION TASK FOR WHICH THE TNC
9 DISPACHES A DRIVER:
- 10 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL
11 IDENTIFIER ASSOCIATED WITH THE DRIVER;
- 12 (II) WHETHER THE RIDE WAS CANCELED AND, IF SO, BY WHOM;
- 13 (III) THE TOTAL MILEAGE DRIVEN DURING DISPATCH PLATFORM
14 TIME;
- 15 (IV) THE TOTAL MILEAGE DRIVEN DURING CONSUMER PLATFORM
16 TIME;
- 17 (V) THE STARTING AND ENDING ZIP CODE FOR THE
18 TRANSPORTATION TASK;
- 19 (VI) THE TOTAL DISPATCH PLATFORM TIME;
- 20 (VII) WHETHER THE RIDE CONTRIBUTED TO DRIVER COMPLETION
21 OF A QUEST OR INCENTIVE THAT LED TO BONUS COMPENSATION NOT TIED
22 EXCLUSIVELY TO THE INDIVIDUAL TRANSPORTATION TASK;
- 23 (VIII) THE TIME OF DAY OR NIGHT THAT THE TRANSPORTATION
24 TASK BEGAN;
- 25 (IX) THE TOTAL CONSUMER PLATFORM TIME;
- 26 (X) THE TOTAL AMOUNT THAT THE CONSUMER PAID FOR THE
27 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF ANY

1 TIP; AND

2 (XI) THE TOTAL AMOUNT THAT THE DRIVER RECEIVED FOR THE
3 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF THE
4 TIP, IF ANY, AND THE AMOUNT OF ANY PASS-THROUGHS FOR TOLLS OR
5 OTHER ITEMS SPECIFIC TO THE TRANSPORTATION TASK; AND

6 (e) FOR EACH DRIVER WHO WAS ACTIVATED OR LOGGED IN TO THE
7 TNC'S DIGITAL PLATFORM DURING THE REPORTING PERIOD:

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

10 (II) THE TOTAL TIME THE DRIVER SPENT DURING THE REPORTING
11 PERIOD ON:

12 (A) DISPATCH PLATFORM TIME; AND

13 (B) CONSUMER PLATFORM TIME;

14 (III) THE TOTAL MILES DRIVEN DURING THE REPORTING PERIOD
15 WHILE THE DRIVER WAS ON:

16 (A) AVAILABLE PLATFORM TIME;

17 (B) DISPATCH PLATFORM TIME; AND

18 (C) CONSUMER PLATFORM TIME; AND

19 (IV) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER BY THE
20 TNC DURING THE REPORTING PERIOD, DISAGGREGATED TO SHOW:

21 (A) THE AMOUNT OF TIPS;

22 (B) THE AMOUNT OF PASS-THROUGHS;

23 (C) THE AMOUNT OF BONUS OR INCENTIVE COMPENSATION;

24 (D) THE AMOUNT OF COMPENSATION ASSOCIATED WITH
25 INDIVIDUAL TRANSPORTATION TASKS, EXCLUDING AMOUNTS DISCLOSED
26 IN SUBSECTIONS (4)(e)(IV)(A) TO (4)(e)(IV)(C) OF THIS SECTION; AND

27 (E) ANY OTHER AMOUNTS PAID TO THE DRIVER DURING THE

1 REPORTING PERIOD.

2 (5) Public availability of TNC semiannual disclosures. THE
3 INFORMATION THAT A TRANSPORTATION NETWORK COMPANY PROVIDES
4 THROUGH SEMIANNUAL DISCLOSURES IN ACCORDANCE WITH SUBSECTION
5 (4) OF THIS SECTION TO THE DIVISION IS A PUBLIC RECORD, AS DEFINED IN
6 SECTION 24-72-202 (6). PRIOR TO ANY DISCLOSURE OF THE INFORMATION
7 PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
8 72 OF TITLE 24, THE DIVISION SHALL:

9 (a) GIVE NOTICE TO THE TNC THAT PROVIDED THE DISCLOSURE
10 AND AFFORD THE TNC AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE;

11 AND

12 (b) REDACT THE INFORMATION TO PROTECT DRIVERS' IDENTITIES
13 AND PRIVACY.

14 (6) Transparency for drivers and consumers. (a) ON AND
15 AFTER FEBRUARY 1, 2025, AT THE TIME OF OFFERING A TRANSPORTATION
16 TASK TO A DRIVER FOR ACCEPTANCE, A TRANSPORTATION NETWORK
17 COMPANY SHALL ELECTRONICALLY DISCLOSE TO THE DRIVER:

18 (I) THE DISTANCE AND CARDINAL OR INTERCARDINAL DIRECTION
19 FROM THE DRIVER'S LOCATION TO THE CONSUMER'S OR RIDER'S
20 DESTINATION. FOR SHARED RIDES, THE RELEVANT DESTINATION IS THE
21 DESTINATION OF THE LAST CONSUMER OR RIDER THAT THE DRIVER DROPS
22 OFF.

23 (II) BEFORE ANY TIP IS ADDED, THE TOTAL AMOUNT OF MONEY
24 THAT THE TNC WILL PAY THE DRIVER FOR THE TRANSPORTATION TASK,
25 EXCLUDING ANY PASS-THROUGHS;

26 (III) THE AGGREGATE ESTIMATED MILEAGE THAT THE DRIVER WILL
27 DRIVE DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME

1 FOR THE TRANSPORTATION TASK;
2 (IV) THE AGGREGATE ESTIMATED TIME THAT THE DRIVER WILL
3 SPEND DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
4 DURING THE TRANSPORTATION TASK; AND
5 (V) IF THE CONSUMER HAS ALREADY INDICATED A TIP AMOUNT,
6 THE AMOUNT OF THE TIP.
7 (b) WHEN A DRIVER RESUMES AVAILABLE PLATFORM TIME AFTER
8 COMPLETING A TRANSPORTATION TASK, A TNC SHALL ELECTRONICALLY
9 DISCLOSE TO THE DRIVER ON A SINGLE SCREEN ON THE DIGITAL PLATFORM:
10 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID FOR
11 THE TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED;
12 (II) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER FOR THE
13 TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED, EXCLUDING
14 PASS-THROUGHS, IF ANY; AND
15 (III) THE AMOUNT OF THE TIP, IF ANY.
16 (c) WITHIN TWENTY-FOUR HOURS AFTER DISCLOSING THE
17 INFORMATION REQUIRED TO BE DISCLOSED IN ACCORDANCE WITH
18 SUBSECTION (6)(b) OF THIS SECTION, THE TNC SHALL PROVIDE A COPY OF
19 THE INFORMATION TO THE DRIVER BY E-MAIL OR OTHER MECHANISM THAT
20 REMAINS ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR.
21 (d) AS SOON AS THE INFORMATION IS AVAILABLE TO A TNC, AND
22 BEFORE THE TNC OFFERS A CONSUMER THE OPTION TO TIP THE DRIVER,
23 THE TNC SHALL ELECTRONICALLY DISCLOSE TO THE CONSUMER ON A
24 SINGLE SCREEN ON THE DIGITAL PLATFORM:
25 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID OR
26 WILL PAY FOR THE TRANSPORTATION TASK, EXCLUDING ANY TIP; AND
27 (II) THE TOTAL AMOUNT OF MONEY THAT THE DRIVER RECEIVED

1 OR WILL RECEIVE FOR THE TRANSPORTATION TASK BEFORE ANY TIP IS
2 ADDED, EXCLUDING PASS-THROUGHS, IF ANY.

3 (e) THE INFORMATION DISCLOSED TO DRIVERS AND CONSUMERS
4 PURSUANT TO THIS SUBSECTION (6) MUST BE:

5 (I) PROMINENTLY DISPLAYED ON THE SINGLE SCREEN ON THE
6 DIGITAL PLATFORM OR IN THE E-MAIL;

7 (II) IN A FONT THAT IS AT LEAST ONE AND ONE-HALF TIMES LARGER
8 THAN THE FONT USED TO PRESENT ANY OTHER INFORMATION ON THE
9 SCREEN OR IN THE E-MAIL; AND

10 (III) PRESENTED USING DESIGN TECHNIQUES INTENDED TO DRAW
11 THE EYE TO THE INFORMATION.

12 (f) A TNC SHALL DISCLOSE TO EACH DRIVER WHO ACTIVATED THE
13 TNC'S DIGITAL PLATFORM DURING THE PREVIOUS MONTH VIA E-MAIL OR
14 OTHER MECHANISM THAT REMAINS ACCESSIBLE TO THE DRIVER FOR AT
15 LEAST ONE YEAR THE FOLLOWING INFORMATION REGARDING THE DRIVER
16 FOR THE PREVIOUS MONTH OR PREVIOUS REPORTING PERIOD IF THE TNC
17 REGULARLY PROVIDES THE DISCLOSURES REQUIRED UNDER THIS
18 SUBSECTION (6)(f) MORE FREQUENTLY THAN MONTHLY:

19 (I) DRIVER PAY BEFORE EXPENSES;

20 (II) DRIVER TIPS BEFORE EXPENSES;

21 (III) THE TOTAL TIME THAT THE DRIVER SPENT ON:

22 (A) AVAILABLE PLATFORM TIME;

23 (B) DISPATCH PLATFORM TIME; AND

24 (C) CONSUMER PLATFORM TIME;

25 (IV) THE TOTAL MILES THAT THE DRIVER DROVE DURING THE
26 DRIVER'S:

27 (A) AVAILABLE PLATFORM TIME;

1 (B) DISPATCH PLATFORM TIME; AND
2 (C) CONSUMER PLATFORM TIME; AND
3 (V) THE TOTAL AMOUNT THE DRIVER MAY BE ENTITLED TO
4 DEDUCT FROM INCOME CALCULATED USING THE IRS BUSINESS MILEAGE
5 DEDUCTION RATE FOR ALL MILES KNOWN TO THE TNC TO HAVE BEEN
6 DRIVEN DURING THE DRIVER'S:

- 7 (A) AVAILABLE PLATFORM TIME;
- 8 (B) DISPATCH PLATFORM TIME; AND
- 9 (C) CONSUMER PLATFORM TIME.

10 (7) Driver acceptance or rejection of a transportation task. A
11 TRANSPORTATION NETWORK COMPANY SHALL NOT SUSPEND, DEACTIVATE,
12 OR RETALIATE AGAINST A DRIVER BASED ON THE DRIVER'S LAWFUL
13 ACCEPTANCE OR REJECTION OF ONE OR MORE TRANSPORTATION TASKS,
14 INCLUDING BY HAMPERING DRIVER ACCESS TO:

- 15 (a) DRIVER SUPPORT;
- 16 (b) RIDE OFFERS; OR
- 17 (c) DESTINATION OR AREA PREFERENCES.

18 (8) Penalties, fines, and enforcement. (a) If a transportation
19 network company violates this section, the TNC may be subject
20 to:

21 (I) Monetary damages in the amount of one thousand
22 dollars, as determined by the director or by a court in a civil
23 action brought pursuant to subsection (8)(d) of this section, on
24 a per-consumer or per-driver basis, which amount the TNC shall
25 pay to the consumer or driver affected by the violation;

26 (II) A fine of one hundred dollars per violation, as
27 determined by the director on a per-consumer or per-driver

1 BASIS, WHICH AMOUNT THE TNC SHALL PAY TO THE DIVISION. THE
2 DIVISION SHALL TRANSMIT ALL CIVIL FINES COLLECTED PURSUANT TO THIS
3 SUBSECTION (8)(a)(II) TO THE STATE TREASURER, WHO SHALL CREDIT THE
4 MONEY TO THE GENERAL FUND.

5 (III) INJUNCTIVE RELIEF PURSUANT TO SUBSECTION (8)(d)(II) OF
6 THIS SECTION.

7 (b) THE DIVISION MAY INVESTIGATE ALLEGED VIOLATIONS IN
8 RESPONSE TO COMPLAINTS FILED OR AT THE DIVISION'S DISCRETION.

9 (c) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR DRIVERS
10 AND CONSUMERS TO SUBMIT COMPLAINTS TO THE DIVISION AND FOR THE
11 DIVISION'S INVESTIGATIONS, HEARINGS, AND IMPOSITION OF FINES
12 PURSUANT TO THIS SUBSECTION (8).

13 (d) (I) A PERSON AGGRIEVED BY A TNC'S VIOLATION OF THIS
14 SECTION MAY FILE A CIVIL ACTION AGAINST THE TNC IN THE DISTRICT
15 COURT WHERE:

- 16 (A) THE PERSON RESIDES;
- 17 (B) THE VIOLATION OCCURRED; OR
- 18 (C) THE TNC HAS A PHYSICAL PLACE OF BUSINESS IN THE STATE.

19 (II) (A) THE PERSON FILING THE CIVIL ACTION MAY SEEK
20 INJUNCTIVE RELIEF FROM THE DISTRICT COURT TO COMPEL THE TNC TO
21 COMPLY WITH THIS SECTION OR MAY SEEK MONETARY DAMAGES AS
22 SPECIFIED IN SUBSECTION (8)(a)(I) OF THIS SECTION AND ANY ACTUAL
23 DAMAGES SUSTAINED.

24 (B) IF A PERSON PREVAILS ON ANY CLAIM RAISED IN A CIVIL
25 ACTION BROUGHT AGAINST A TNC UNDER THIS SUBSECTION (8)(d), THE
26 PERSON IS ENTITLED TO RECOVER COSTS AND REASONABLE ATTORNEY
27 FEES.

1 (9) Rules. THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO
2 IMPLEMENT THIS SECTION.

3 (10) Public utilities commission's authority over TNCs.
4 NOTHING IN THIS SECTION NEGATES, LIMITS, ALTERS, OR DISPLACES THE
5 COMMISSION'S AUTHORITY TO REGULATE TRANSPORTATION NETWORK
6 COMPANIES PURSUANT TO PART 6 OF ARTICLE 10.1 OF TITLE 40 OR
7 PREVENTS A DRIVER OR CONSUMER FROM SEEKING ENFORCEMENT BY THE
8 COMMISSION AGAINST AN ALLEGED VIOLATOR OR A REMEDY FOR A
9 VIOLATION OF PART 6 OF ARTICLE 10.1 OF TITLE 40.

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