

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

INTRODUCED

LLS NO. 25-0318.01 Josh Schultz x5486

HOUSE BILL 25-1291

HOUSE SPONSORSHIP

Willford and Froelich,

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Winter F. and Danielson, Kipp

House Committees
Business Affairs & Labor

Senate Committees

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.

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;

7 (g) Transportation network companies rely on drivers and third
8 parties for background checks, often using easily manipulated
9 name-based methods instead of fingerprint-based screening, which is
10 required in other safety-critical industries;

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

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

25 (j) Transportation network companies prioritize profits over rider
26 safety, rolling back protections despite billions of dollars in revenue. A
27 \$25 background check is negligible compared to the industry-wide \$52

1 billion in annual revenue and \$163 billion net worth.

2 (2) Therefore, the general assembly declares that the people of
3 Colorado require legislation to ensure that all transportation modes,
4 including transportation network companies, are safe, reliable, and just
5 and that the people of Colorado have a transportation system that
6 prioritizes their safety.

7 **SECTION 2.** In Colorado Revised Statutes, 40-10.1-605, **amend**
8 (1)(e), (3)(a), (3)(b), (3)(c)(I), (3)(c)(II), and (5); and **add** (3)(c)(V),
9 (3)(c)(VI), (3)(c)(VII), (3)(c)(VIII), (4.5), (7)(c), and (7.5) as follows:

10 **40-10.1-605. Operational requirements - criminal history**
11 **record check - driver verification - civil action - audio and video**
12 **recording - rules.** (1) The following requirements apply to the provision
13 of services:

14 (e) A driver shall not offer or provide transportation network
15 company services for more than ~~twelve~~ TEN consecutive hours.

16 (3) (a) Before ~~a person is permitted~~ PERMITTING AN INDIVIDUAL
17 to act as a driver through use of a transportation network company's
18 digital network, AND AT LEAST ONCE EVERY SIX MONTHS THEREAFTER, the
19 ~~person~~ TRANSPORTATION NETWORK COMPANY shall PROCURE

20 ~~(I) Obtain~~ a FINGERPRINT-BASED criminal history record check
21 FOR THE INDIVIDUAL pursuant to the procedures set forth in section
22 40-10.1-110, as supplemented by the commission's rules ~~promulgated~~
23 ADOPTED under section 40-10.1-110. ~~or through a privately administered~~
24 ~~national criminal history record check, including the national sex offender~~
25 ~~database; and~~

26 ~~(II) If a privately administered national criminal history record~~
27 ~~check is used, provide a copy of the criminal history record check to the~~

1 ~~transportation network company.~~

2 (b) A driver shall ~~obtain a criminal history record check in~~
3 ~~accordance with subparagraph (f) of paragraph (a) of this subsection (3)~~
4 ~~every five years while serving as a driver~~ SUBMIT TO A
5 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AS REQUIRED BY
6 A TRANSPORTATION NETWORK COMPANY TO COMPLY WITH SUBSECTION
7 (3)(a) OF THIS SECTION.

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

16 (A) An offense involving fraud, as described in article 5 of title
17 18; ~~C.R.S.~~;

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

20 (C) An offense against property, as described in article 4 of title
21 18; ~~C.R.S.~~; or

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

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

26 (F) AN OFFENSE INVOLVING STALKING, AS DESCRIBED IN SECTION
27 18-3-602; OR

1 (G) AN OFFENSE INVOLVING HARASSMENT, AS DESCRIBED IN
2 SECTION 18-9-111.

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

8 (V) A DRIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY OR
9 NOLO CONTENDERE TO AN OFFENSE LISTED IN SUBSECTION (3)(c)(I) OF
10 THIS SECTION SHALL NOTIFY THE TRANSPORTATION NETWORK COMPANY
11 WITHIN FORTY-EIGHT HOURS AFTER THE INDIVIDUAL'S CONVICTION WAS
12 PRONOUNCED OR PLEA WAS ENTERED.

13 (VI) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF OR PLED
14 GUILTY OR NOLO CONTENDERE TO DRIVING UNDER THE INFLUENCE OF
15 DRUGS OR ALCOHOL AFTER THE INITIAL FINGERPRINT-BASED CRIMINAL
16 HISTORY RECORD CHECK PERFORMED PURSUANT TO SUBSECTION (3)(a) OF
17 THIS SECTION SHALL NOT SERVE AS A DRIVER FOR SEVEN YEARS AFTER THE
18 CONVICTION WAS PRONOUNCED OR THE PLEA WAS ENTERED.

19 (VII) AN INDIVIDUAL WHO HAS BEEN DISQUALIFIED OR REMOVED
20 FROM DRIVING FOR A TRANSPORTATION NETWORK COMPANY, A COMMON
21 CARRIER, OR OTHER TRANSPORTATION SERVICE REGULATED UNDER THIS
22 TITLE 40 IN THIS STATE OR ANY OTHER STATE SHALL NOT SERVE AS A
23 DRIVER.

24 (VIII) AN INDIVIDUAL WHO HAS AN AUTHORIZED PROFILE TO
25 DRIVE FOR A TRANSPORTATION NETWORK COMPANY AND WHO ALLOWS
26 ANOTHER INDIVIDUAL TO DRIVE FOR THE TRANSPORTATION NETWORK
27 COMPANY UNDER THE AUTHORIZED PROFILE OR WHO HAS USED ANOTHER

1 INDIVIDUAL'S AUTHORIZED PROFILE TO ACCEPT A PREARRANGED RIDE FOR
2 A TRANSPORTATION NETWORK COMPANY SHALL NOT SERVE AS A DRIVER.

3 (4.5) AFTER A DRIVER ACCEPTS A PREARRANGED RIDE THROUGH
4 A DIGITAL NETWORK, BUT BEFORE THE DRIVER PICKS UP THE RIDER, A
5 TRANSPORTATION NETWORK COMPANY SHALL VERIFY THAT THE DRIVER
6 PROVIDING THE PREARRANGED RIDE IS THE SAME DRIVER AUTHORIZED BY
7 THE TRANSPORTATION NETWORK COMPANY TO PROVIDE THE
8 PREARRANGED RIDE THROUGH ONE OF THE FOLLOWING METHODS:

- 9 (a) AN IN-VEHICLE DASH CAMERA;
- 10 (b) A LIVE SELF-IDENTIFICATION PHOTOGRAPH OR VIDEO;
- 11 (c) BIOMETRIC VERIFICATION BY FINGERPRINT OR OPTICAL SCAN;

12 OR

13 (d) ANOTHER METHOD THAT VERIFIES THAT THE DRIVER
14 PROVIDING THE PREARRANGED RIDE IS THE SAME DRIVER AUTHORIZED BY
15 THE TRANSPORTATION NETWORK COMPANY FOR THAT PREARRANGED RIDE.

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

20 (b) IF A PERSON FILES A COMPLAINT AS DESCRIBED IN SUBSECTION
21 (5)(a) OF THIS SECTION, A TRANSPORTATION NETWORK COMPANY SHALL
22 RESPOND TO A REQUEST FOR INFORMATION RELATED TO THE COMPLAINT
23 FROM A COURT, A DISTRICT ATTORNEY, THE ATTORNEY GENERAL, THE
24 COMMISSION, OR A LAW ENFORCEMENT AGENCY NO LATER THAN
25 TWENTY-FOUR HOURS AFTER THE REQUEST IS MADE.

26 (c) IF A PERSON FILES A COMPLAINT WITH THE COMMISSION
27 AGAINST A TRANSPORTATION NETWORK COMPANY OR DRIVER, THE

1 TRANSPORTATION NETWORK COMPANY SHALL, UPON REQUEST FROM THE
2 PERSON FILING THE COMPLAINT, PROVIDE TO THE PERSON FILING THE
3 COMPLAINT ALL KNOWN AND AVAILABLE DATA, PHOTOGRAPHS, AUDIO,
4 AND VIDEO RELATED TO THE PREARRANGED RIDE THAT IS THE SUBJECT OF
5 THE COMPLAINT.

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

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

13 (7.5) UNLESS A RIDER OR DRIVER OPTS OUT THROUGH THE POLICY
14 AND PROCEDURE CREATED BY A TRANSPORTATION NETWORK COMPANY
15 PURSUANT TO SECTION 40-10.1-610 (2)(a)(III) OR (2)(a)(IV), A
16 TRANSPORTATION NETWORK COMPANY SHALL ENSURE THAT EACH
17 PREARRANGED RIDE IS CONTINUOUSLY AUDIO AND VIDEO RECORDED FROM
18 WHEN THE DRIVER PICKS UP THE RIDER IN A PERSONAL VEHICLE UNTIL
19 WHEN THE RIDER DEPARTS FROM THE PERSONAL VEHICLE.

20 **SECTION 3.** In Colorado Revised Statutes, 40-10.1-609, **add** (3)
21 as follows:

22 **40-10.1-609. Reporting requirements - report - rules.** (3) ON
23 OR BEFORE FEBRUARY 1, 2026, AND ON OR BEFORE FEBRUARY 1 EACH
24 YEAR THEREAFTER, A TRANSPORTATION NETWORK COMPANY OPERATING
25 IN THE STATE SHALL SUBMIT A REPORT THAT INCLUDES THE FOLLOWING
26 DATA TO THE COMMISSION, THE ATTORNEY GENERAL, AND THE JUDICIARY
27 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR

1 THEIR SUCCESSOR COMMITTEES:

2 (a) THE NUMBER OF REPORTED SAFETY INCIDENTS INVOLVING A
3 DRIVER WHO PROVIDED SERVICES FOR THE TRANSPORTATION NETWORK
4 COMPANY IN THE PRECEDING CALENDAR YEAR, INCLUDING THE NUMBER
5 OF REPORTED INSTANCES OF:

6 (I) PHYSICAL ASSAULT;

7 (II) SEXUAL ASSAULT;

8 (III) VERBAL ASSAULT;

9 (IV) STALKING;

10 (V) HARASSMENT;

11 (VI) THEFT;

12 (VII) A MOTOR VEHICLE ACCIDENT, INCLUDING AN INDICATION OF
13 WHETHER THE DRIVER WAS AT FAULT OR THE DRIVER WAS NOT AT FAULT;

14 AND

15 (VIII) HOMICIDE; AND

16 (b) THE NUMBER OF REPORTED INCIDENTS OF DISCRIMINATORY
17 SPEECH OR DISCRIMINATORY CONDUCT INVOLVING A DRIVER WHO
18 PROVIDED SERVICES FOR THE TRANSPORTATION NETWORK COMPANY.

19 **SECTION 4.** In Colorado Revised Statutes, **add** 40-10.1-610 as
20 follows:

21 **40-10.1-610. Consumer protection - waiver of rights void -**
22 **biometric data and biometric identifiers.** (1) A PROVISION IN A
23 CONTRACT BETWEEN A TRANSPORTATION NETWORK COMPANY AND A
24 RIDER IS VOID AS AGAINST PUBLIC POLICY IF THE PROVISION ATTEMPTS OR
25 PURPORTS TO WAIVE:

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

27 (b) A RIGHT PROVIDED BY THE "COLORADO CONSUMER

1 PROTECTION ACT", ARTICLE 1 OF TITLE 6; OR

2 (c) THE RIGHT TO A JURY TRIAL.

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

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

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

10 (III) DEVELOP A POLICY TO ALLOW A RIDER TO OPT OUT OF
11 CONTINUOUS AUDIO AND VIDEO RECORDING DURING A PREARRANGED RIDE
12 CONDUCTED PURSUANT TO SECTION 40-10.1-605 (7.5);

13 (IV) DEVELOP A POLICY TO ALLOW A DRIVER TO OPT OUT OF
14 CONTINUOUS AUDIO AND VIDEO RECORDING DURING A PREARRANGED RIDE
15 CONDUCTED PURSUANT TO SECTION 40-10.1-605 (7.5);

16 (V) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
17 SUBSECTION (2) TO THE ATTORNEY GENERAL AND TO THE COMMISSION;
18 AND

19 (VI) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
20 SUBSECTION (2) TO EVERY DRIVER WHO PROVIDES SERVICES FOR THE
21 TRANSPORTATION NETWORK COMPANY.

22 (b) WITHIN TEN DAYS AFTER AN UPDATE TO A POLICY CREATED
23 PURSUANT TO THIS SUBSECTION (2), A TRANSPORTATION NETWORK
24 COMPANY SHALL PROVIDE A COPY OF THE UPDATED POLICY TO THE
25 ATTORNEY GENERAL, THE COMMISSION, AND EVERY DRIVER WHO
26 PROVIDES SERVICES FOR THE TRANSPORTATION NETWORK COMPANY.

27 (3) IF A TRANSPORTATION NETWORK COMPANY COLLECTS

1 BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR RIDER,
2 THE TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH SECTION
3 6-1-1314.

4 **SECTION 5.** In Colorado Revised Statutes, 40-10.1-110, **amend**
5 (1)(a) as follows:

6 **40-10.1-110. Record check - rules.** (1) (a) An individual who
7 wishes to drive: A taxicab for a motor carrier that is the holder of a
8 certificate to provide taxicab service issued under part 2 of this article
9 10.1; a motor vehicle for a motor carrier that is the holder of a permit to
10 operate as a charter bus, children's activity bus, luxury limousine, or
11 off-road scenic charter under part 3 of this article 10.1; ~~or~~ a motor vehicle
12 for a motor carrier that is the holder of a permit to operate as a
13 large-market taxicab service under part 7 of this article 10.1; OR A
14 PERSONAL VEHICLE TO OFFER SERVICES AS A TRANSPORTATION NETWORK
15 COMPANY DRIVER UNDER PART 6 OF THIS ARTICLE 10.1 must have the
16 individual's fingerprints taken by a local law enforcement agency or any
17 third party approved by the Colorado bureau of investigation for the
18 purpose of obtaining a fingerprint-based criminal history record check.

19 **SECTION 6.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iiii)
20 and (1)(jjjj) as follows:

21 **6-1-105. Unfair or deceptive trade practices - definitions.**

22 (1) A person engages in a deceptive trade practice when, in the course of
23 the person's business, vocation, or occupation, the person:

24 (iiii) VIOLATES PART 6 OF ARTICLE 10.1 OF TITLE 40;

25 (jjjj) ALTERS THE RATING A RIDER ASSIGNED A DRIVER ON A
26 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK, AS THOSE
27 TERMS ARE DEFINED IN SECTION 40-10.1-602, OR ASSIGNS AN AUTOMATIC

1 OR DEFAULT DRIVER RATING THAT THE RIDER DID NOT ASSIGN.

2 **SECTION 7. Applicability.** This act applies to offenses
3 committed on or after the effective date of this act.

4 **SECTION 8. Safety clause.** The general assembly finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety or for appropriations for
7 the support and maintenance of the departments of the state and state
8 institutions.