

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

PREAMENDED

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

LLS NO. 25-0318.01 Josh Schultz x5486

HOUSE BILL 25-1291

HOUSE SPONSORSHIP

Willford and Froelich, Lieder

SENATE SPONSORSHIP

Winter F. and Danielson, Kipp, Weissman

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 to riders and drivers;

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

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

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

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

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

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

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

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

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

17 (I) A DIGITAL OR PHYSICAL PHOTOGRAPH;

18 (II) AN AUDIO OR VOICE RECORDING; OR

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

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

26 (a) A FINGERPRINT;

27 (b) A VOICEPRINT;

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

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

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

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

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

17 **40-10.1-605. Operational requirements - criminal history**
18 **record check - driver verification - civil action - audio and video**
19 **recording - deactivation - offering food or beverage prohibited -**
20 **rules.** (3) (b) A ~~driver~~ TRANSPORTATION NETWORK COMPANY shall ~~obtain~~
21 ~~PROCURE~~ a PRIVATELY ADMINISTERED criminal history record check ~~in~~
22 ~~accordance with subparagraph (I) of paragraph (a) of this subsection (3)~~
23 ~~FOR EACH INDIVIDUAL SERVING AS A DRIVER THROUGH USE OF THE~~
24 ~~TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK every five~~
25 ~~years~~ SIX MONTHS while ~~servicing~~ THE INDIVIDUAL SERVES as a driver.

26 (b.5) A TRANSPORTATION NETWORK COMPANY SHALL PAY THE
27 COSTS OF A CRIMINAL HISTORY RECORD CHECK CONDUCTED PURSUANT TO

1 THIS SUBSECTION (3).

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

10 (A) ~~An~~ A FELONY offense involving fraud, as described in article
11 5 of title 18; ~~C.R.S.;~~

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

14 (C) ~~An~~ A FELONY offense against property, as described in article
15 4 of title 18; ~~C.R.S.;~~ or

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

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

20 (F) AN OFFENSE INVOLVING STALKING, AS DESCRIBED IN SECTION
21 18-3-602;

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

24 (H) AN OFFENSE INVOLVING MENACING, AS DESCRIBED IN SECTION
25 18-3-206.

26 (II) ~~A person~~ AN INDIVIDUAL who has been convicted of OR PLED
27 GUILTY OR NOLO CONTENDERE TO a comparable offense to the offenses

1 listed in ~~subparagraph (f) of this paragraph (c)~~ SUBSECTION (3)(c)(I) OF
2 THIS SECTION in another state or in the United States shall not serve as a
3 driver.

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

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

13 (VII) AN INDIVIDUAL WHO HAS BEEN DISQUALIFIED OR REMOVED
14 FROM DRIVING FOR A TRANSPORTATION SERVICE REGULATED UNDER THIS
15 TITLE 40 OR DISQUALIFIED OR REMOVED FROM DRIVING UNDER A
16 SUBSTANTIALLY SIMILAR LAW OF ANOTHER STATE FOR AN INCIDENT
17 INVOLVING ANY OF THE FOLLOWING ACTIVITIES SHALL NOT SERVE AS A
18 DRIVER:

19 (A) PHYSICAL ASSAULT;

20 (B) SEXUAL ASSAULT;

21 (C) HARASSMENT;

22 (D) KIDNAPPING;

23 (E) FELONY ROBBERY;

24 (F) MENACING;

25 (G) ACCOUNT SHARING; OR

26 (H) IMPERSONATING A DRIVER.

27 (VIII) AN INDIVIDUAL SHALL NOT SERVE AS A DRIVER FOR A

1 TRANSPORTATION NETWORK COMPANY IF THE INDIVIDUAL:

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

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

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

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

25 (A) PHYSICAL ASSAULT;

26 (B) SEXUAL ASSAULT;

27 (C) KIDNAPPING;

1 (D) FELONY ROBBERY;

2 (E) MENACING; OR

3 (F) HOMICIDE.

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

14 (e) (I) A DRIVER WHO HAS BEEN DEACTIVATED PURSUANT TO
15 SUBSECTION (3)(d) OF THIS SECTION MAY, WITHIN THIRTY CALENDAR DAYS
16 AFTER RECEIVING A WRITTEN NOTICE OF THE DEACTIVATION, CHALLENGE,
17 IN WRITING, THE DEACTIVATION WITH THE TRANSPORTATION NETWORK
18 COMPANY PURSUANT TO THE TRANSPORTATION NETWORK COMPANY'S
19 INTERNAL DEACTIVATION REVIEW PROCESS ESTABLISHED PURSUANT TO
20 SECTION 8-4-127 (5).

21 (II) A TRANSPORTATION NETWORK COMPANY SHALL CONDUCT AN
22 INTERNAL DEACTIVATION RECONSIDERATION OF A CHALLENGED
23 DEACTIVATION WITHIN FOURTEEN CALENDAR DAYS AFTER THE DRIVER
24 MAKES THE WRITTEN REQUEST FOR DEACTIVATION RECONSIDERATION IN
25 ACCORDANCE WITH SECTION 8-4-127 (5)(b); EXCEPT THAT THE
26 TRANSPORTATION NETWORK COMPANY MAY NOTIFY THE DRIVER IN
27 WRITING OF A CONTINUANCE OF THE DEACTIVATION RECONSIDERATION IF

1 THE DRIVER HAS NOT PROVIDED SUFFICIENT EVIDENCE OR
2 DOCUMENTATION FOR CONSIDERATION BY THE TRANSPORTATION
3 NETWORK COMPANY OR IF CIRCUMSTANCES OUTSIDE OF THE
4 TRANSPORTATION NETWORK COMPANY'S CONTROL NECESSITATE
5 ADDITIONAL TIME TO RECONSIDER THE CHALLENGED DEACTIVATION.

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

9 (A) REQUIRE CONSIDERATION OF ALL RELEVANT, AVAILABLE
10 INFORMATION;

11 (B) BE CONDUCTED IN GOOD FAITH; AND

12 (C) APPLY EVENHANDEDLY THE TRANSPORTATION NETWORK
13 COMPANY'S DEACTIVATION POLICY, CONSISTENT WITH THE
14 TRANSPORTATION NETWORK COMPANY'S INTEREST IN SAFE AND EFFICIENT
15 OPERATIONS.

16 (IV) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF
17 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE A WRITTEN
18 STATEMENT THAT THE TRANSPORTATION NETWORK COMPANY SENDS THE
19 DRIVER THROUGH THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
20 PLATFORM AND VIA EMAIL OR OTHER MECHANISM THAT THE
21 TRANSPORTATION NETWORK COMPANY REASONABLY EXPECTS WILL
22 REMAIN ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR. THE
23 WRITTEN STATEMENT MUST INCLUDE:

24 (A) A DETERMINATION AFFIRMING DEACTIVATION AND INCLUDING
25 A SUMMARY OF THE REASONS FOR THE DEACTIVATION AND A DESCRIPTION
26 OF THE STEPS THE DRIVER MAY TAKE, IF ANY, TO REMEDY THE ALLEGED
27 VIOLATION; OR

1 (B) A DETERMINATION THAT THE DRIVER DID NOT VIOLATE THE
2 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY OR THAT
3 THE DRIVER REMEDIED ANY VIOLATION OF THE POLICY, WHICH
4 DETERMINATION MUST BE ACCOMPANIED BY REACTIVATION OF THE
5 DRIVER'S ACCOUNT WITHIN TWENTY-FOUR HOURS AFTER THE
6 DETERMINATION IS MADE.

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

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

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

25 (7) (c) (I) THE ATTORNEY GENERAL OR A PERSON INJURED OR
26 HARMED BY AN ALLEGED VIOLATION OF THIS SECTION MAY INITIATE A
27 CIVIL PROCEEDING IN A DISTRICT COURT AGAINST A TRANSPORTATION

1 NETWORK COMPANY OR A DRIVER THAT VIOLATES THIS SECTION.

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

5 (7.5) (a) ON AND AFTER JANUARY 1, 2026, A TRANSPORTATION
6 NETWORK COMPANY SHALL ENSURE THAT EACH PREARRANGED RIDE IS
7 CONTINUOUSLY AUDIO AND VIDEO RECORDED FROM WHEN THE DRIVER
8 PICKS UP THE RIDER IN A PERSONAL VEHICLE UNTIL WHEN THE RIDER
9 DEPARTS FROM THE PERSONAL VEHICLE.

10 (b) A TRANSPORTATION NETWORK COMPANY SHALL:

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

13 (II) ENSURE THAT EACH RIDER IN A PREARRANGED RIDE IS
14 NOTIFIED IN THE PERSONAL VEHICLE THAT THE RIDE IS CONTINUOUSLY
15 AUDIO AND VIDEO RECORDED.

16 (7.7) A DRIVER OR A RIDER SHALL NOT PROVIDE, OFFER TO
17 PROVIDE, SELL, OR OFFER TO SELL TO ANOTHER DRIVER OR RIDER FOOD OR
18 A BEVERAGE.

19 (11) SUBSECTIONS (3)(c)(VII), (3)(c)(IX), (3)(d), (3)(e), (7)(c),
20 (7.5), AND (7.7) OF THIS SECTION DO NOT APPLY TO A TRANSPORTATION
21 NETWORK COMPANY THAT:

22 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
23 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
24 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM
25 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL
26 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF
27 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

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

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

6 **40-10.1-609. Reporting requirements - report - rules.** (3) ON
7 OR BEFORE FEBRUARY 1, 2026, AND ON OR BEFORE FEBRUARY 1 EACH
8 YEAR THEREAFTER, A TRANSPORTATION NETWORK COMPANY SHALL
9 SUBMIT A REPORT THAT INCLUDES THE FOLLOWING DATA TO THE
10 COMMISSION, THE ATTORNEY GENERAL, AND EACH MEMBER OF THE
11 GENERAL ASSEMBLY:

12 (a) THE NUMBER OF REPORTED SAFETY INCIDENTS INVOLVING A
13 DRIVER WHO PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED
14 SERVICES FROM THE TRANSPORTATION NETWORK COMPANY IN THE
15 PRECEDING CALENDAR YEAR. THE REPORT MUST INCLUDE THE NUMBER OF
16 REPORTED INSTANCES OF:

- 17 (I) PHYSICAL ASSAULT;
- 18 (II) SEXUAL ASSAULT;
- 19 (III) VERBAL THREATS;
- 20 (IV) STALKING;
- 21 (V) HARASSMENT;
- 22 (VI) THEFT;
- 23 (VII) A MOTOR VEHICLE ACCIDENT, INCLUDING AN INDICATION OF
24 WHETHER THE DRIVER WAS AT FAULT OR THE DRIVER WAS NOT AT FAULT;
- 25 AND
- 26 (VIII) HOMICIDE; AND

27 (b) THE NUMBER OF REPORTED INCIDENTS OF DISCRIMINATORY

1 SPEECH OR DISCRIMINATORY CONDUCT INVOLVING A DRIVER WHO
2 PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED SERVICES FROM THE
3 TRANSPORTATION NETWORK COMPANY.

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

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

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

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

17 **40-10.1-610. Consumer protection - waiver of rights void -**
18 **biometric data and biometric identifiers - safety policies - training -**
19 **data retention - rules.** (1) A PROVISION IN A CONTRACT BETWEEN A
20 TRANSPORTATION NETWORK COMPANY AND A RIDER IS VOID AS AGAINST
21 PUBLIC POLICY IF THE PROVISION ATTEMPTS TO WAIVE OR WAIVES:

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

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

25 (c) THE RIGHT TO A JURY TRIAL.

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

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

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

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

11 (IV) EXCEPT AS AUTHORIZED IN A POLICY DEVELOPED PURSUANT
12 TO SUBSECTION (2)(a)(III) OF THIS SECTION, DEVELOP A POLICY THAT
13 ALLOWS A DRIVER TO REFUSE A PREARRANGED RIDE TO AN INDIVIDUAL
14 WHO IS NOT AUTHORIZED TO USE THE ACCOUNT REQUESTING THE
15 PREARRANGED RIDE. THE POLICY MUST ENSURE THAT THE DRIVER IS NOT
16 PENALIZED BY THE TRANSPORTATION NETWORK COMPANY FOR REFUSING
17 A PREARRANGED RIDE TO AN INDIVIDUAL WHO IS NOT THE AUTHORIZED
18 RIDER ON THE ACCOUNT REQUESTING THE PREARRANGED RIDE.

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

23 (VI) DEVELOP A POLICY TO NOTIFY AND TRAIN DRIVERS AND
24 RIDERS OF ANY UPDATES TO TRANSPORTATION NETWORK COMPANY
25 POLICIES IMPACTING DRIVERS AND RIDERS;

26 (VII) DEVELOP A POLICY REQUIRING DRIVERS TO REPORT AND A
27 PROCESS FOR DRIVERS TO REPORT INFORMATION REGARDING A

1 CONVICTION OF OR A PLEA OF GUILTY OR NOLO CONTENDERE TO THE
2 OFFENSES DESCRIBED IN SECTION 40-10.1-605 (3)(c)(I);

3 (VIII) DEVELOP A POLICY TO PREVENT CRIMES COMMITTED
4 AGAINST DRIVERS BY RIDERS;

5 (IX) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
6 SUBSECTION (2) TO THE ATTORNEY GENERAL AND TO THE COMMISSION;
7 AND

8 (X) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
9 SUBSECTION (2) TO EVERY DRIVER WHO PROVIDES SERVICES FOR THE
10 TRANSPORTATION NETWORK COMPANY.

11 (b) WITHIN TEN BUSINESS DAYS AFTER AN UPDATE TO A POLICY
12 CREATED PURSUANT TO THIS SUBSECTION (2), A TRANSPORTATION
13 NETWORK COMPANY SHALL PROVIDE A COPY OF THE UPDATED POLICY TO
14 THE ATTORNEY GENERAL, THE COMMISSION, AND EVERY DRIVER WHO
15 PROVIDES SERVICES FOR THE TRANSPORTATION NETWORK COMPANY.

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

19 (b) IF A TRANSPORTATION NETWORK COMPANY COLLECTS
20 BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR RIDER,
21 THE TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH SECTION
22 6-1-1314.

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

26 (b) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
27 SECTION, THE COMMISSION SHALL ADOPT RULES GOVERNING THE

1 RETENTION, STORAGE, AND USE OF AND ACCESS TO THE DATA COLLECTED
2 BY A TRANSPORTATION NETWORK COMPANY.

3 (c) UNTIL THE COMMISSION ADOPTS RULES GOVERNING DATA
4 COLLECTED BY A TRANSPORTATION NETWORK COMPANY PURSUANT TO
5 SUBSECTION (4)(b) OF THIS SECTION, A TRANSPORTATION NETWORK
6 COMPANY SHALL RETAIN ALL AUDIO AND VIDEO RECORDINGS FROM A
7 PREARRANGED RIDE FOR THIRTY DAYS AFTER THE PREARRANGED RIDE;
8 EXCEPT THAT, IF A PERSON FILES A COMPLAINT AGAINST A
9 TRANSPORTATION NETWORK COMPANY WITH THE COMMISSION OR A
10 PREARRANGED RIDE IS THE SUBJECT OF AN ACTIVE LAW ENFORCEMENT
11 INVESTIGATION, THE TRANSPORTATION NETWORK COMPANY SHALL RETAIN
12 THE AUDIO AND VIDEO RECORDING FOR ONE YEAR OR UNTIL THE
13 INVESTIGATION IS COMPLETED, WHICHEVER IS LONGER.

14 (d) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
15 SECTION, THE COMMISSION SHALL ADOPT RULES GOVERNING A
16 COMPLAINANT'S ACCESS TO THE DATA COLLECTED BY A TRANSPORTATION
17 NETWORK COMPANY RELATED TO A COMPLAINT FILED PURSUANT TO
18 SECTION 40-10.1-605 (3)(d)(I).

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

21 (a) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
22 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
23 PERCENT OF THE TRANSPORTATION NETWORK COMPANY'S REVENUE FROM
24 CONTRACTS WITH A PUBLIC OR PRIVATE SCHOOL, THE FEDERAL
25 GOVERNMENT, THE STATE, OR AN AGENCY OR A POLITICAL SUBDIVISION OF
26 THE FEDERAL GOVERNMENT OR OF THE STATE; AND

27 (b) HAS AT LEAST NINETY PERCENT OF THE TRANSPORTATION

1 NETWORK COMPANY'S DRIVERS IN COMPLIANCE WITH THE COMMISSION'S
2 RULES PROMULGATED PURSUANT TO SECTION 40-10.1-608 (3)(a).

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

5 **40-7-113. Civil penalties - fines.** (1) In addition to any other
6 penalty otherwise authorized by law and except as otherwise provided in
7 subsections (3) and (4) of this section, ~~any~~ A person ~~who~~ THAT violates
8 article 10.1 or 10.5 of this title 40 or ~~any~~ A rule ~~promulgated~~ ADOPTED by
9 the commission pursuant to article 10.1 or 10.5 OF THIS TITLE 40, which
10 article or rule is applicable to the person, may be subject to fines as
11 ~~specified in the following paragraphs~~ FOLLOWS:

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

16 (g) A person ~~who~~ THAT violates ~~any~~ A provision of article 10.1 or
17 10.5 of this title 40 not enumerated in subsection (1)(a), (1)(b), **(1)(b.5)**,
18 or (1)(e) of this section, ~~any~~ A rule ~~promulgated~~ ADOPTED by the
19 commission pursuant to this title 40, or ~~any~~ A safety rule adopted by the
20 department of public safety relating to motor carriers as defined in section
21 40-10.1-101 may be assessed a civil penalty of not more than one
22 thousand one hundred dollars; except that ~~any~~ A person ~~who~~ THAT
23 violates a safety rule ~~promulgated~~ ADOPTED by the commission is subject
24 to the civil penalties authorized pursuant to 49 CFR 386, subpart G, and
25 associated appendices to ~~part 386~~ **49 CFR 386**, as the subpart existed on
26 January 1, 2017.

27 **SECTION 7.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iiii)

1 and (1)(jjj) as follows:

2 **6-1-105. Unfair or deceptive trade practices - definitions.**

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

5 (iii) MISREPRESENTS THE PERSON'S COMPLIANCE WITH PART 6 OF
6 ARTICLE 10.1 OF TITLE 40;

7 (jjj) ALTERS THE RATING A RIDER ASSIGNED A DRIVER OR THE
8 RATING A DRIVER ASSIGNED A RIDER ON A TRANSPORTATION NETWORK
9 COMPANY'S DIGITAL PLATFORM, AS THOSE TERMS ARE DEFINED IN SECTION
10 40-10.1-602, OR ASSIGNS AN AUTOMATIC OR DEFAULT DRIVER RATING
11 THAT THE RIDER DID NOT ASSIGN.

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

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