

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

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

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

38 (i) Transportation network companies have long been aware of the
39 systemic problem of sexual assaults committed by their drivers. Internal
40 safety reports confirm thousands of reported sexual assaults over multiple

1 years, yet transportation network companies have not implemented
2 meaningful reforms. The actual number of incidents is likely far higher,
3 as studies show that only 30% of sexual assaults are reported, meaning
4 thousands more victims may have been harmed. Transportation network
5 companies have faced lawsuits from passengers and their own
6 shareholders for failing to disclose the extent of the problem.

7 (j) Transportation network companies prioritize profits over rider
8 safety, rolling back protections despite billions of dollars in revenue. The
9 cost of a background check is negligible compared to the
10 multibillion-dollar net worth and profit of the industry.

11 (2) Therefore, the general assembly declares that the people of
12 Colorado require legislation to ensure that all transportation modes,
13 including transportation network companies, are safe, reliable, and just
14 and that the people of Colorado have a transportation system that
15 prioritizes their safety.

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

18 **40-10.1-602. Definitions.** As used in this part 6, unless the
19 context otherwise requires:

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

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

29 (I) A DIGITAL OR PHYSICAL PHOTOGRAPH;

30 (II) AN AUDIO OR VOICE RECORDING; OR

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

33 (1.1) "BIOMETRIC IDENTIFIER" MEANS DATA GENERATED BY THE
34 TECHNOLOGICAL PROCESSING, MEASUREMENT, OR ANALYSIS OF A
35 CONSUMER'S BIOLOGICAL, PHYSICAL, OR BEHAVIORAL CHARACTERISTICS,
36 WHICH DATA CAN BE PROCESSED FOR THE PURPOSE OF UNIQUELY
37 IDENTIFYING AN INDIVIDUAL. "BIOMETRIC IDENTIFIER" INCLUDES:

38 (a) A FINGERPRINT;

39 (b) A VOICEPRINT;

40 (c) A SCAN OR RECORD OF AN EYE RETINA OR IRIS;

41 (d) A FACIAL MAP, FACIAL GEOMETRY, OR FACIAL TEMPLATE; OR

42 (e) OTHER UNIQUE BIOLOGICAL, PHYSICAL, OR BEHAVIORAL
43 PATTERNS OR CHARACTERISTICS.

44 (1.3) "MINOR" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF
45 AGE.

1 (1.5) "NAME-BASED JUDICIAL RECORD CHECK" HAS THE MEANING
2 SET FORTH IN SECTION 22-2-119.3 (6)(d).

3 (1.7) "PERSONAL VEHICLE" MEANS A VEHICLE THAT IS USED BY A
4 TRANSPORTATION NETWORK COMPANY DRIVER IN CONNECTION WITH
5 PROVIDING SERVICES FOR A TRANSPORTATION NETWORK COMPANY AND
6 THAT MEETS THE VEHICLE CRITERIA SET FORTH IN THIS PART 6.

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

11 **40-10.1-605. Operational requirements - criminal history**
12 **record check - driver verification - civil action - audio and video**
13 **recording - deactivation - offering food or beverage prohibited -**
14 **rules.** (3) (b) A ~~driver~~ TRANSPORTATION NETWORK COMPANY shall ~~obtain~~
15 PROCURE a criminal history record check in accordance with
16 ~~subparagraph (I) of paragraph (a) of this subsection (3)~~ SUBSECTION
17 (3)(a)(I) OF THIS SECTION FOR EACH INDIVIDUAL SERVING AS A DRIVER
18 THROUGH USE OF THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
19 NETWORK ~~every five years~~ SIX MONTHS while ~~serving~~ THE INDIVIDUAL
20 SERVES as a driver.

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

24 (c) (I) ~~A person~~ AN INDIVIDUAL who has been convicted of or pled
25 guilty or nolo contendere to driving under the influence of drugs or
26 alcohol in the previous seven years before applying to become a driver
27 shall not serve as a driver. If the criminal history record check
28 PERFORMED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION reveals that
29 the ~~person~~ INDIVIDUAL has ever been convicted of or pled guilty or nolo
30 contendere to any of the following ~~felony~~ offenses, the ~~person~~
31 INDIVIDUAL shall not serve as a driver:

32 (A) ~~An~~ A FELONY offense involving fraud, as described in article
33 5 of title 18; ~~C.R.S.~~;

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

36 (C) ~~An~~ A FELONY offense against property, as described in article
37 4 of title 18; ~~C.R.S.~~; or

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

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

42 (F) AN OFFENSE INVOLVING STALKING, AS DESCRIBED IN SECTION
43 18-3-602;

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

1 (H) AN OFFENSE INVOLVING MENACING, AS DESCRIBED IN SECTION
2 18-3-206.

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 SHALL NOT SERVE AS A DRIVER FOR SEVEN YEARS
16 AFTER THE CONVICTION WAS PRONOUNCED OR THE PLEA WAS ENTERED.

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

23 (A) PHYSICAL ASSAULT;
24 (B) SEXUAL ASSAULT;
25 (C) HARASSMENT;
26 (D) KIDNAPPING;
27 (E) FELONY ROBBERY;
28 (F) MENACING;
29 (G) ACCOUNT SHARING; OR
30 (H) IMPERSONATING A DRIVER.

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

33 (A) HAS AN AUTHORIZED PROFILE TO DRIVE FOR A
34 TRANSPORTATION NETWORK COMPANY; AND

35 (B) IS CONFIRMED BY A TRANSPORTATION NETWORK COMPANY TO
36 HAVE ALLOWED ANOTHER INDIVIDUAL TO DRIVE FOR THE
37 TRANSPORTATION NETWORK COMPANY UNDER THE AUTHORIZED PROFILE
38 OR HAS USED ANOTHER INDIVIDUAL'S AUTHORIZED PROFILE TO ACCEPT A
39 PREARRANGED RIDE FOR A TRANSPORTATION NETWORK COMPANY.

40 (IX) IF A DRIVER IS REQUIRED TO SUBMIT TO A FINGERPRINT-BASED
41 CRIMINAL HISTORY RECORD CHECK PURSUANT TO A CONTRACT WITH A
42 SCHOOL OR SCHOOL DISTRICT, THE FINGERPRINT-BASED CRIMINAL HISTORY
43 RECORD CHECK MUST BE CONDUCTED IN ACCORDANCE WITH SECTION
44 40-10.1-110.

45 (X) IF A PERSON FILES A COMPLAINT WITH A TRANSPORTATION

1 NETWORK COMPANY AGAINST AN INDIVIDUAL ACTING AS A DRIVER
2 THROUGH USE OF THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
3 NETWORK, THE TRANSPORTATION NETWORK COMPANY SHALL PROCURE A
4 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK FOR THE
5 INDIVIDUAL PURSUANT TO THE PROCEDURES SET FORTH IN SECTION
6 40-10.1-110.

7 (d) (I) A TRANSPORTATION NETWORK COMPANY SHALL INITIATE
8 A REVIEW OF A DRIVER FOR DEACTIVATION PURSUANT TO SUBSECTION
9 (3)(d)(II) OF THIS SECTION IF THE TRANSPORTATION NETWORK COMPANY
10 IS NOTIFIED THROUGH A COMPLAINT FILED WITH THE TRANSPORTATION
11 NETWORK COMPANY OR THE COMMISSION OR THROUGH CONTACT BY THE
12 COMMISSION, THE OFFICE OF THE ATTORNEY GENERAL, A DISTRICT
13 ATTORNEY'S OFFICE, OR LAW ENFORCEMENT AGENCY REGARDING AN
14 ALLEGATION AGAINST THE DRIVER OF:

- 15 (A) PHYSICAL ASSAULT;
- 16 (B) SEXUAL ASSAULT;
- 17 (C) KIDNAPPING;
- 18 (D) FELONY ROBBERY;
- 19 (E) MENACING; OR
- 20 (F) HOMICIDE.

21 (II) WITHIN SEVENTY-TWO HOURS AFTER RECEIVING NOTICE OF AN
22 ALLEGATION AGAINST A DRIVER AS DESCRIBED IN SUBSECTION (3)(d)(I) OF
23 THIS SECTION, THE TRANSPORTATION NETWORK COMPANY SHALL REVIEW
24 THE AVAILABLE EVIDENCE AND, IF THE TRANSPORTATION NETWORK
25 COMPANY DETERMINES THAT THE ALLEGATION IS MORE THAN LIKELY TO
26 HAVE OCCURRED, THE TRANSPORTATION NETWORK COMPANY SHALL
27 DEACTIVATE THE DRIVER FROM THE TRANSPORTATION NETWORK
28 COMPANY'S DIGITAL PLATFORM IN ACCORDANCE WITH THE
29 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION AND SUSPENSION
30 POLICY DEVELOPED PURSUANT TO SECTION 8-4-127.

31 (e) (I) A DRIVER WHO HAS BEEN DEACTIVATED PURSUANT TO
32 SUBSECTION (3)(d) OF THIS SECTION MAY, WITHIN THIRTY CALENDAR DAYS
33 AFTER RECEIVING A WRITTEN NOTICE OF THE DEACTIVATION, CHALLENGE,
34 IN WRITING, THE DEACTIVATION WITH THE TRANSPORTATION NETWORK
35 COMPANY PURSUANT TO THE TRANSPORTATION NETWORK COMPANY'S
36 INTERNAL DEACTIVATION REVIEW PROCESS ESTABLISHED PURSUANT TO
37 SECTION 8-4-127 (5).

38 (II) A TRANSPORTATION NETWORK COMPANY SHALL CONDUCT AN
39 INTERNAL DEACTIVATION RECONSIDERATION OF A CHALLENGED
40 DEACTIVATION WITHIN FOURTEEN CALENDAR DAYS AFTER THE DRIVER
41 MAKES THE WRITTEN REQUEST FOR DEACTIVATION RECONSIDERATION IN
42 ACCORDANCE WITH SECTION 8-4-127 (5)(b); EXCEPT THAT THE
43 TRANSPORTATION NETWORK COMPANY MAY NOTIFY THE DRIVER IN
44 WRITING OF A CONTINUANCE OF THE DEACTIVATION RECONSIDERATION IF
45 THE DRIVER HAS NOT PROVIDED SUFFICIENT EVIDENCE OR

1 DOCUMENTATION FOR CONSIDERATION BY THE TRANSPORTATION
2 NETWORK COMPANY OR IF CIRCUMSTANCES OUTSIDE OF THE
3 TRANSPORTATION NETWORK COMPANY'S CONTROL NECESSITATE
4 ADDITIONAL TIME TO RECONSIDER THE CHALLENGED DEACTIVATION.

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

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

10 (B) BE CONDUCTED IN GOOD FAITH; AND

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

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

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

27 (B) A DETERMINATION THAT THE DRIVER DID NOT VIOLATE THE
28 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY OR THAT
29 THE DRIVER REMEDIED ANY VIOLATION OF THE POLICY, WHICH
30 DETERMINATION MUST BE ACCOMPANIED BY REACTIVATION OF THE
31 DRIVER'S ACCOUNT WITHIN TWENTY-FOUR HOURS AFTER THE
32 DETERMINATION IS MADE.

33 (V) THE TRANSPORTATION NETWORK COMPANY'S RESOLUTION OF
34 A DRIVER'S CHALLENGE TO A DEACTIVATION MUST INCLUDE A WRITTEN
35 STATEMENT THAT THE TRANSPORTATION NETWORK COMPANY SENDS THE
36 PARTY THAT FILED A COMPLAINT PURSUANT TO SUBSECTION (3)(d)(I) OF
37 THIS SECTION THROUGH THE TRANSPORTATION NETWORK COMPANY'S
38 DIGITAL PLATFORM AND VIA EMAIL DETAILING THE DISPOSITION OF THE
39 DRIVER'S CHALLENGE.

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

44 (b) IF A PERSON FILES A COMPLAINT AGAINST A TRANSPORTATION
45 NETWORK COMPANY OR DRIVER, THE TRANSPORTATION NETWORK

1 COMPANY SHALL RESPOND TO A SUBPOENA OR SEARCH WARRANT FOR
2 INFORMATION RELATED TO THE COMPLAINT FROM A COURT, THE OFFICE OF
3 THE ATTORNEY GENERAL, A DISTRICT ATTORNEY'S OFFICE, THE
4 COMMISSION, OR A LAW ENFORCEMENT AGENCY NO LATER THAN
5 FORTY-EIGHT HOURS AFTER THE REQUEST IS MADE.

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) (a) ON AND AFTER JANUARY 1, 2026, A TRANSPORTATION
14 NETWORK COMPANY SHALL ENSURE THAT EACH PREARRANGED RIDE IS
15 CONTINUOUSLY AUDIO AND VIDEO RECORDED FROM WHEN THE DRIVER
16 PICKS UP THE RIDER IN A PERSONAL VEHICLE UNTIL WHEN THE RIDER
17 DEPARTS FROM THE PERSONAL VEHICLE.

18 (b) A TRANSPORTATION NETWORK COMPANY SHALL:

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

21 (II) ENSURE THAT EACH RIDER IN A PREARRANGED RIDE IS
22 NOTIFIED IN THE PERSONAL VEHICLE THAT THE RIDE IS CONTINUOUSLY
23 AUDIO AND VIDEO RECORDED.

24 (c) A TRANSPORTATION NETWORK COMPANY MAY OPT OUT OF THE
25 CONTINUOUS AUDIO AND VIDEO RECORDING REQUIRED UNDER SUBSECTION
26 (7.5)(a) OF THIS SECTION DURING TRANSPORT OF A STUDENT TO OR FROM
27 A SCHOOL, SCHOOL-RELATED ACTIVITY, OR SCHOOL-SANCTIONED
28 ACTIVITY PURSUANT TO A CONTRACT WITH A SCHOOL OR SCHOOL
29 DISTRICT.

30 (7.7) A DRIVER OR A RIDER SHALL NOT PROVIDE, OFFER TO
31 PROVIDE, SELL, OR OFFER TO SELL TO ANOTHER DRIVER OR RIDER FOOD OR
32 A BEVERAGE.

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

35 **40-10.1-609. Reporting requirements - report - rules.** (3) ON
36 OR BEFORE FEBRUARY 1, 2026, AND ON OR BEFORE FEBRUARY 1 EACH
37 YEAR THEREAFTER, A TRANSPORTATION NETWORK COMPANY SHALL
38 SUBMIT A REPORT THAT INCLUDES THE FOLLOWING DATA TO THE
39 COMMISSION, THE ATTORNEY GENERAL, AND EACH MEMBER OF THE
40 GENERAL ASSEMBLY:

41 (a) THE NUMBER OF REPORTED SAFETY INCIDENTS INVOLVING A
42 DRIVER WHO PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED
43 SERVICES FROM THE TRANSPORTATION NETWORK COMPANY IN THE
44 PRECEDING CALENDAR YEAR. THE REPORT MUST INCLUDE THE NUMBER OF
45 REPORTED INSTANCES OF:

1 (I) PHYSICAL ASSAULT;
2 (II) SEXUAL ASSAULT;
3 (III) VERBAL THREATS;
4 (IV) STALKING;
5 (V) HARASSMENT;
6 (VI) THEFT;
7 (VII) A MOTOR VEHICLE ACCIDENT, INCLUDING AN INDICATION OF
8 WHETHER THE DRIVER WAS AT FAULT OR THE DRIVER WAS NOT AT FAULT;
9 AND
10 (VIII) HOMICIDE; AND
11 (b) THE NUMBER OF REPORTED INCIDENTS OF DISCRIMINATORY
12 SPEECH OR DISCRIMINATORY CONDUCT INVOLVING A DRIVER WHO
13 PROVIDED SERVICES FOR OR A RIDER WHO RECEIVED SERVICES FROM THE
14 TRANSPORTATION NETWORK COMPANY.
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:
28 (I) DEVELOP A POLICY TO PREVENT IMPOSTER ACCOUNTS,
29 ACCOUNT SHARING, AND ACCOUNT RENTING;
30 (II) DEVELOP A POLICY TO PREVENT SEXUAL ASSAULT, PHYSICAL
31 ASSAULT, AND HOMICIDE AGAINST OR COMMITTED BY THE
32 TRANSPORTATION NETWORK COMPANY'S DRIVERS;
33 (III) DEVELOP AND ENFORCE A POLICY PROHIBITING THE
34 TRANSPORT OF AN UNACCOMPANIED MINOR UNLESS THE MINOR IS PART OF
35 A DULY AUTHORIZED FAMILY ACCOUNT, IN WHICH A PARENT OR GUARDIAN
36 MUST BE PRESENT WHEN THE MINOR ENTERS THE VEHICLE OR CONFIRMS
37 AUTHORIZATION FOR THE PREARRANGED RIDE;
38 (IV) EXCEPT AS AUTHORIZED IN A POLICY DEVELOPED PURSUANT
39 TO SUBSECTION (2)(a)(III) OF THIS SECTION, DEVELOP A POLICY THAT
40 ALLOWS A DRIVER TO REFUSE A PREARRANGED RIDE TO AN INDIVIDUAL
41 WHO IS NOT AUTHORIZED TO USE THE ACCOUNT REQUESTING THE
42 PREARRANGED RIDE. THE POLICY MUST ENSURE THAT THE DRIVER IS NOT
43 PENALIZED BY THE TRANSPORTATION NETWORK COMPANY FOR REFUSING
44 A PREARRANGED RIDE TO AN INDIVIDUAL WHO IS NOT THE AUTHORIZED
45 RIDER ON THE ACCOUNT REQUESTING THE PREARRANGED RIDE.

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

5 (VI) DEVELOP A POLICY TO NOTIFY AND TRAIN DRIVERS AND
6 RIDERS OF ANY UPDATES TO TRANSPORTATION NETWORK COMPANY
7 POLICIES IMPACTING DRIVERS AND RIDERS;

8 (VII) DEVELOP A POLICY REQUIRING DRIVERS TO REPORT AND A
9 PROCESS FOR DRIVERS TO REPORT INFORMATION REGARDING A
10 CONVICTION OF OR A PLEA OF GUILTY OR NOLO CONTENDERE TO THE
11 OFFENSES DESCRIBED IN SECTION 40-10.1-605 (3)(c)(I);

12 (VIII) DEVELOP A POLICY TO PREVENT CRIMES COMMITTED
13 AGAINST DRIVERS BY RIDERS;

14 (IX) PROVIDE COPIES OF THE POLICIES CREATED PURSUANT TO THIS
15 SUBSECTION (2) TO THE ATTORNEY GENERAL AND TO THE COMMISSION;
16 AND

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

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

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

28 (b) IF A TRANSPORTATION NETWORK COMPANY COLLECTS
29 BIOMETRIC DATA OR BIOMETRIC IDENTIFIERS FROM A DRIVER OR RIDER,
30 THE TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH SECTION
31 6-1-1314.

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

35 (b) WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
36 SECTION, THE COMMISSION SHALL ADOPT RULES GOVERNING THE
37 RETENTION, STORAGE, AND USE OF AND ACCESS TO THE DATA COLLECTED
38 BY A TRANSPORTATION NETWORK COMPANY.

39 (c) UNTIL THE COMMISSION ADOPTS RULES GOVERNING DATA
40 COLLECTED BY A TRANSPORTATION NETWORK COMPANY PURSUANT TO
41 SUBSECTION (4)(b) OF THIS SECTION, A TRANSPORTATION NETWORK
42 COMPANY SHALL RETAIN ALL AUDIO AND VIDEO RECORDINGS FROM A
43 PREARRANGED RIDE FOR THIRTY DAYS AFTER THE PREARRANGED RIDE;
44 EXCEPT THAT, IF A PERSON FILES A COMPLAINT AGAINST A
45 TRANSPORTATION NETWORK COMPANY WITH THE COMMISSION OR A

1 PREARRANGED RIDE IS THE SUBJECT OF AN ACTIVE LAW ENFORCEMENT
2 INVESTIGATION, THE TRANSPORTATION NETWORK COMPANY SHALL RETAIN
3 THE AUDIO AND VIDEO RECORDING FOR ONE YEAR OR UNTIL THE
4 INVESTIGATION IS COMPLETED, WHICHEVER IS LONGER.

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

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

12 **40-7-113. Civil penalties - fines.** (1) In addition to any other
13 penalty otherwise authorized by law and except as otherwise provided in
14 subsections (3) and (4) of this section, ~~any~~ A person ~~who~~ THAT violates
15 article 10.1 or 10.5 of this title 40 or ~~any~~ A rule ~~promulgated~~ ADOPTED by
16 the commission pursuant to article 10.1 or 10.5 OF THIS TITLE 40, which
17 article or rule is applicable to the person, may be subject to fines as
18 ~~specified in the following paragraphs~~ FOLLOWS:

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

23 (g) A person ~~who~~ THAT violates ~~any~~ A provision of article 10.1 or
24 10.5 of this title 40 not enumerated in subsection (1)(a), (1)(b), **(1)(b.5)**,
25 or (1)(e) of this section, ~~any~~ A rule ~~promulgated~~ ADOPTED by the
26 commission pursuant to this title 40, or ~~any~~ A safety rule adopted by the
27 department of public safety relating to motor carriers as defined in section
28 40-10.1-101 may be assessed a civil penalty of not more than one
29 thousand one hundred dollars; except that ~~any~~ A person ~~who~~ THAT
30 violates a safety rule ~~promulgated~~ ADOPTED by the commission is subject
31 to the civil penalties authorized pursuant to 49 CFR 386, subpart G, and
32 associated appendices to ~~part 386~~ **49 CFR 386**, as the subpart existed on
33 January 1, 2017.

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

36 **6-1-105. Unfair or deceptive trade practices - definitions.**

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

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

41 (jjjj) ALTERS THE RATING A RIDER ASSIGNED A DRIVER OR THE
42 RATING A DRIVER ASSIGNED A RIDER ON A TRANSPORTATION NETWORK
43 COMPANY'S DIGITAL PLATFORM, AS THOSE TERMS ARE DEFINED IN SECTION
44 40-10.1-602, OR ASSIGNS AN AUTOMATIC OR DEFAULT DRIVER RATING
45 THAT THE RIDER DID NOT ASSIGN.

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

3 **SECTION 9. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions."

** **