

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB24-075 be amended as follows:

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

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

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

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

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

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

17 (d) (I) "CONSUMER PLATFORM TIME" MEANS THE PERIOD OF TIME
18 WHEN A DRIVER IS TRANSPORTING ONE OR MORE CONSUMERS OR RIDERS
19 ON A RIDE.

20 (II) "CONSUMER PLATFORM TIME", FOR SHARED RIDES, MEANS THE
21 PERIOD OF TIME COMMENCING WHEN THE FIRST CONSUMER OR RIDER
22 ENTERS A DRIVER'S VEHICLE AND ENDING WHEN THE LAST CONSUMER OR
23 RIDER EXITS THE DRIVER'S VEHICLE.

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

27 (II) "DEACTIVATE" OR "DEACTIVATION" INCLUDES BLOCKING A
28 DRIVER'S ACCESS TO A DIGITAL PLATFORM, SUSPENDING A DRIVER, OR
29 CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE TO PROVIDE
30 TRANSPORTATION SERVICES FOR A TNC FOR SEVENTY-TWO HOURS OR
31 MORE.

32 (f) "DIGITAL PLATFORM" MEANS AN ONLINE APPLICATION, AN
33 INTERNET SITE, OR A SYSTEM, EITHER OF WHICH A TNC USES TO
34 FACILITATE, MANAGE, OR FACILITATE AND MANAGE TRANSPORTATION
35 SERVICES.

36 (g) (I) "DISPATCH PLATFORM TIME" MEANS THE PERIOD OF TIME
37 BETWEEN A DRIVER'S RECEIPT OF A REQUEST FOR A TRANSPORTATION TASK
38 THROUGH THE TNC'S DIGITAL PLATFORM AND THE TIME WHEN EITHER THE
39 DRIVER PICKS UP A CONSUMER OR RIDER OR WHEN A CONSUMER OR THE
40 DRIVER CANCELS THE RIDE.

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

4 (h) "DRIVER" MEANS A TRANSPORTATION NETWORK COMPANY
5 DRIVER AS DEFINED IN SECTION 40-10.1-602 (4).

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

8 (I) PAY FOR TRANSPORTATION TASKS;
9 (II) PASS-THROUGHS;
10 (III) BONUS OR INCENTIVE PAY; AND
11 (IV) TIPS.

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

15 (k) "IRS BUSINESS MILEAGE DEDUCTION RATE" MEANS THE
16 FEDERAL INTERNAL REVENUE SERVICE'S PREVAILING MILEAGE
17 COST-DEDUCTION RATE FOR BUSINESS USE.

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

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

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

26 (II) "SUSPEND" OR "SUSPENSION" INCLUDES:
27 (A) BLOCKING A DRIVER'S ACCESS TO THE DIGITAL PLATFORM;
28 (B) SUSPENDING A DRIVER; OR
29 (C) CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE
30 TO PROVIDE TRANSPORTATION SERVICES FOR THE TNC FOR LESS THAN
31 SEVENTY-TWO HOURS.

32 (o) "Tip" MEANS A GRATUITY THAT A CONSUMER:
33 (I) INDICATES THROUGH A DIGITAL PLATFORM AS INTENDED FOR
34 DIRECT PAYMENT TO A DRIVER; OR
35 (II) WOULD REASONABLY EXPECT TO BE PAID IN FULL TO A DRIVER.

36 (p) "TRANSPORTATION NETWORK COMPANY" OR "TNC" HAS THE
37 MEANING SET FORTH IN SECTION 40-10.1-602 (3); EXCEPT THAT THE TERM
38 DOES NOT INCLUDE A TNC THAT:

39 (I) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
40 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
41 PERCENT OF THE TNC'S REVENUE FROM CONTRACTS WITH A PUBLIC OR
42 PRIVATE SCHOOL, THE FEDERAL GOVERNMENT, A STATE, OR AN AGENCY
43 OR A POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR OF THE
44 STATE;

45 (II) HAS AT LEAST NINETY PERCENT OF THE TNC'S DRIVERS IN

1 COMPLIANCE WITH THE COMMISSION'S RULES PROMULGATED PURSUANT TO
2 SECTION 40-10.1-608 (3)(a);

3 (III) ATTESTS THAT THE TNC MEETS THE REQUIREMENTS SET
4 FORTH IN SUBSECTIONS (1)(p)(I) AND (1)(p)(II) OF THIS SECTION AND
5 SUBMITS AN ATTESTATION TO THE COMMISSION ON OR BEFORE JANUARY
6 1, 2025, AND WITH EACH PERMIT RENEWAL APPLICATION SUBMITTED TO
7 THE COMMISSION PURSUANT TO SECTION 40-10.1-606; AND

8 (IV) DISCLOSES TO A DRIVER THE DESTINATION AND EXPECTED
9 COMPENSATION FOR A RIDE BEFORE THE DRIVER ACCEPTS THE RIDE FOR
10 ALL TRANSPORTATION TASKS PROVIDED THROUGH THE TNC'S DIGITAL
11 PLATFORM.

12 (q) "TRANSPORTATION SERVICES" HAS THE SAME MEANING AS
13 "TRANSPORTATION NETWORK COMPANY SERVICES" AS DEFINED IN SECTION
14 40-10.1-602 (6).

15 (r) "TRANSPORTATION TASK" MEANS A DRIVER'S PROVISION OF
16 TRANSPORTATION SERVICES TO A CONSUMER OR TO ONE OR MORE RIDERS
17 FOR WHOM A CONSUMER ORDERS TRANSPORTATION SERVICES THROUGH
18 A TNC'S DIGITAL PLATFORM.

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

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

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

26 (II) IS SUBJECT TO ENFORCEMENT BY THE DIRECTOR PURSUANT TO
27 THIS ARTICLE 4.

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

29 (a) ON OR BEFORE MAY 1, 2025, A TRANSPORTATION NETWORK COMPANY
30 SHALL INFORM EACH DRIVER OF THE TNC'S DEACTIVATION AND
31 SUSPENSION POLICY AND THE TYPES OF VIOLATIONS THAT MAY WARRANT
32 DEACTIVATION OR SUSPENSION. THE TNC'S DEACTIVATION AND
33 SUSPENSION POLICY MUST:

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

36 (II) CLEARLY LIST THE CIRCUMSTANCES THAT CONSTITUTE A
37 VIOLATION THAT MAY WARRANT DEACTIVATION OR SUSPENSION UNDER
38 THE DEACTIVATION AND SUSPENSION POLICY AND INDICATE THE SPECIFIC
39 CONSEQUENCES FOR EACH LISTED VIOLATION, INCLUDING THE
40 CONSEQUENCES RESULTING IN:

41 (A) DEACTIVATION OR SUSPENSION AND THE SPECIFIC NUMBER OF
42 DAYS OR RANGE OF DAYS FOR A DEACTIVATION OR SUSPENSION; OR

43 (B) ANY OTHER SANCTION;

44 (III) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
45 FOR NOTIFYING A DRIVER OF A SUSPENSION OR A DEACTIVATION AND THE

1 REASON FOR THE SUSPENSION OR DEACTIVATION. THE PROCEDURES NEED
2 NOT REQUIRE THAT THE TNC PROVIDE THE DRIVER WITH A REASON FOR
3 THE SUSPENSION OR DEACTIVATION IF THE SUSPENSION OR DEACTIVATION
4 IS THE RESULT OF AN ALLEGATION OF ASSAULT OR OTHER EGREGIOUS
5 MISCONDUCT, INCLUDING AN ALLEGATION OF SEXUAL MISCONDUCT.

6 (IV) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
7 FOR THE RECONSIDERATION OF A DEACTIVATION DECISION AND THE
8 PROCESS BY WHICH A DRIVER MAY REQUEST A DEACTIVATION
9 RECONSIDERATION WITH THE TNC.

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

13 (I) SPECIFIC ENOUGH FOR A DRIVER TO UNDERSTAND WHAT
14 CONSTITUTES A VIOLATION OF THE POLICY AND HOW TO AVOID VIOLATING
15 THE POLICY;

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

18 (A) PROMINENTLY DISPLAYING THE POLICY AND E-MAILING THE
19 POLICY TO A NEW DRIVER AT THE TIME THAT THE DRIVER APPLIES TO WORK
20 AS A DRIVER FOR THE TNC;

21 (B) E-MAILING THE POLICY TO ALL DRIVERS ENGAGED ON THE
22 DIGITAL PLATFORM AT LEAST FOURTEEN DAYS BEFORE THE POLICY
23 BECOMES ENFORCEABLE; AND

24 (C) POSTING THE POLICY ONLINE, IN THE DIGITAL PLATFORM, OR
25 IN ANOTHER LOCATION THAT IS AVAILABLE TO THE PUBLIC ON AN ONGOING
26 BASIS FOR AT LEAST FOURTEEN DAYS BEFORE THE POLICY BECOMES
27 ENFORCEABLE;

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

31 (IV) SENT TO THE DIVISION IN EACH REQUIRED LANGUAGE AND
32 MADE PUBLICLY AVAILABLE ON THE INTERNET FOR AT LEAST FOURTEEN
33 DAYS BEFORE THE POLICY BECOMES ENFORCEABLE. FOR ANY
34 AMENDMENTS MADE TO A TNC'S DEACTIVATION AND SUSPENSION POLICY,
35 THE TNC SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
36 (3).

37 (c) A TNC SHALL NOT DEACTIVATE OR SUSPEND A DRIVER UNLESS
38 THE DEACTIVATION OR SUSPENSION IS CONSISTENT WITH THE TNC'S
39 DEACTIVATION AND SUSPENSION POLICY, OR AMENDED DEACTIVATION
40 AND SUSPENSION POLICY, AS WRITTEN AND DISTRIBUTED IN ACCORDANCE
41 WITH THIS SUBSECTION (3).

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

45 (a) THE NUMBER OF DRIVER DEACTIVATIONS DURING THE

1 REPORTING PERIOD;

2 (b) THE NUMBER OF DEACTIVATION RECONSIDERATIONS:

3 (I) REQUESTED DURING THE REPORTING PERIOD;

4 (II) THAT OCCURRED DURING THE REPORTING PERIOD;

5 (III) THAT RESULTED IN DRIVER REACTIVATION; AND

6 (IV) THAT RESULTED IN CONFIRMATION OF THE DEACTIVATION;

7 (c) FOR EACH DRIVER AFFECTED BY A DEACTIVATION EVENT

8 LISTED IN SUBSECTION (4)(a) OR (4)(b) OF THIS SECTION, THE DRIVER'S

9 DEMOGRAPHIC INFORMATION, WHEN AVAILABLE, INCLUDING GENDER AND

10 GENDER IDENTITY AND THE DEFAULT LANGUAGE THE DRIVER HAS

11 SELECTED IN THE TNC'S DIGITAL PLATFORM;

12 (d) FOR EACH TRANSPORTATION TASK FOR WHICH THE TNC

13 DISPATCHES A DRIVER:

14 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL

15 IDENTIFIER ASSOCIATED WITH THE DRIVER;

16 (II) WHETHER THE RIDE WAS CANCELED AND, IF SO, BY WHOM;

17 (III) THE TOTAL MILEAGE DRIVEN DURING DISPATCH PLATFORM

18 TIME;

19 (IV) THE TOTAL MILEAGE DRIVEN DURING CONSUMER PLATFORM

20 TIME;

21 (V) THE STARTING AND ENDING ZIP CODE FOR THE

22 TRANSPORTATION TASK;

23 (VI) THE TOTAL DISPATCH PLATFORM TIME;

24 (VII) WHETHER THE RIDE CONTRIBUTED TO DRIVER COMPLETION

25 OF A QUEST OR INCENTIVE THAT LED TO BONUS COMPENSATION NOT TIED

26 EXCLUSIVELY TO THE INDIVIDUAL TRANSPORTATION TASK;

27 (VIII) THE TIME OF DAY OR NIGHT THAT THE TRANSPORTATION

28 TASK BEGAN;

29 (IX) THE TOTAL CONSUMER PLATFORM TIME;

30 (X) THE TOTAL AMOUNT THAT THE CONSUMER PAID FOR THE

31 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF ANY

32 TIP; AND

33 (XI) THE TOTAL AMOUNT THAT THE DRIVER RECEIVED FOR THE

34 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF THE

35 TIP, IF ANY, AND THE AMOUNT OF ANY PASS-THROUGHS FOR TOLLS OR

36 OTHER ITEMS SPECIFIC TO THE TRANSPORTATION TASK; AND

37 (e) FOR EACH DRIVER WHO WAS ACTIVATED OR LOGGED IN TO THE

38 TNC'S DIGITAL PLATFORM DURING THE REPORTING PERIOD:

39 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL

40 IDENTIFIER ASSOCIATED WITH THE DRIVER;

41 (II) THE TOTAL TIME THE DRIVER SPENT DURING THE REPORTING

42 PERIOD ON:

43 (A) DISPATCH PLATFORM TIME; AND

44 (B) CONSUMER PLATFORM TIME;

45 (III) THE TOTAL MILES DRIVEN DURING THE REPORTING PERIOD

1 WHILE THE DRIVER WAS ON:
2 (A) AVAILABLE PLATFORM TIME;
3 (B) DISPATCH PLATFORM TIME; AND
4 (C) CONSUMER PLATFORM TIME; AND
5 (IV) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER BY THE
6 TNC DURING THE REPORTING PERIOD, DISAGGREGATED TO SHOW:
7 (A) THE AMOUNT OF TIPS;
8 (B) THE AMOUNT OF PASS-THROUGHS;
9 (C) THE AMOUNT OF BONUS OR INCENTIVE COMPENSATION;
10 (D) THE AMOUNT OF COMPENSATION ASSOCIATED WITH
11 INDIVIDUAL TRANSPORTATION TASKS, EXCLUDING AMOUNTS DISCLOSED
12 IN SUBSECTIONS (4)(e)(IV)(A) TO (4)(e)(IV)(C) OF THIS SECTION; AND
13 (E) ANY OTHER AMOUNTS PAID TO THE DRIVER DURING THE
14 REPORTING PERIOD.
15 (5) **Public availability of TNC semiannual disclosures.** THE
16 INFORMATION THAT A TRANSPORTATION NETWORK COMPANY PROVIDES
17 THROUGH SEMIANNUAL DISCLOSURES IN ACCORDANCE WITH SUBSECTION
18 (4) OF THIS SECTION TO THE DIVISION IS A PUBLIC RECORD, AS DEFINED IN
19 SECTION 24-72-202 (6). PRIOR TO ANY DISCLOSURE OF THE INFORMATION
20 PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
21 72 OF TITLE 24, THE DIVISION SHALL:
22 (a) GIVE NOTICE TO THE TNC THAT PROVIDED THE DISCLOSURE
23 AND AFFORD THE TNC AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE;
24 AND
25 (b) REDACT THE INFORMATION TO PROTECT DRIVERS' IDENTITIES
26 AND PRIVACY.
27 (6) **Transparency for drivers and consumers.** (a) ON AND
28 AFTER FEBRUARY 1, 2025, AT THE TIME OF OFFERING A TRANSPORTATION
29 TASK TO A DRIVER FOR ACCEPTANCE, A TRANSPORTATION NETWORK
30 COMPANY SHALL ELECTRONICALLY DISCLOSE TO THE DRIVER:
31 (I) THE DISTANCE AND CARDINAL OR INTERCARDINAL DIRECTION
32 FROM THE DRIVER'S LOCATION TO THE CONSUMER'S OR RIDER'S
33 DESTINATION. FOR SHARED RIDES, THE RELEVANT DESTINATION IS THE
34 DESTINATION OF THE LAST CONSUMER OR RIDER THAT THE DRIVER DROPS
35 OFF.
36 (II) BEFORE ANY TIP IS ADDED, THE TOTAL AMOUNT OF MONEY
37 THAT THE TNC WILL PAY THE DRIVER FOR THE TRANSPORTATION TASK,
38 EXCLUDING ANY PASS-THROUGHS;
39 (III) THE AGGREGATE ESTIMATED MILEAGE THAT THE DRIVER WILL
40 DRIVE DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
41 FOR THE TRANSPORTATION TASK;
42 (IV) THE AGGREGATE ESTIMATED TIME THAT THE DRIVER WILL
43 SPEND DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
44 DURING THE TRANSPORTATION TASK; AND
45 (V) IF THE CONSUMER HAS ALREADY INDICATED A TIP AMOUNT,

1 THE AMOUNT OF THE TIP.

2 (b) WHEN A DRIVER RESUMES AVAILABLE PLATFORM TIME AFTER
3 COMPLETING A TRANSPORTATION TASK, A TNC SHALL ELECTRONICALLY
4 DISCLOSE TO THE DRIVER ON A SINGLE SCREEN ON THE DIGITAL PLATFORM:

5 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID FOR
6 THE TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED;

7 (II) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER FOR THE
8 TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED, EXCLUDING
9 PASS-THROUGHS, IF ANY; AND

10 (III) THE AMOUNT OF THE TIP, IF ANY.

11 (c) WITHIN TWENTY-FOUR HOURS AFTER DISCLOSING THE
12 INFORMATION REQUIRED TO BE DISCLOSED IN ACCORDANCE WITH
13 SUBSECTION (6)(b) OF THIS SECTION, THE TNC SHALL PROVIDE A COPY OF
14 THE INFORMATION TO THE DRIVER BY E-MAIL OR OTHER MECHANISM THAT
15 REMAINS ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR.

16 (d) AS SOON AS THE INFORMATION IS AVAILABLE TO A TNC, AND
17 BEFORE THE TNC OFFERS A CONSUMER THE OPTION TO TIP THE DRIVER,
18 THE TNC SHALL ELECTRONICALLY DISCLOSE TO THE CONSUMER ON A
19 SINGLE SCREEN ON THE DIGITAL PLATFORM:

20 (I) THE TOTAL AMOUNT OF MONEY THAT THE CONSUMER PAID OR
21 WILL PAY FOR THE TRANSPORTATION TASK, EXCLUDING ANY TIP; AND

22 (II) THE TOTAL AMOUNT OF MONEY THAT THE DRIVER RECEIVED
23 OR WILL RECEIVE FOR THE TRANSPORTATION TASK BEFORE ANY TIP IS
24 ADDED, EXCLUDING PASS-THROUGHS, IF ANY.

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

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

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

32 (III) PRESENTED USING DESIGN TECHNIQUES INTENDED TO DRAW
33 THE EYE TO THE INFORMATION.

34 (f) A TNC SHALL DISCLOSE TO EACH DRIVER WHO ACTIVATED THE
35 TNC'S DIGITAL PLATFORM DURING THE PREVIOUS MONTH VIA E-MAIL OR
36 OTHER MECHANISM THAT REMAINS ACCESSIBLE TO THE DRIVER FOR AT
37 LEAST ONE YEAR THE FOLLOWING INFORMATION REGARDING THE DRIVER
38 FOR THE PREVIOUS MONTH OR PREVIOUS REPORTING PERIOD IF THE TNC
39 REGULARLY PROVIDES THE DISCLOSURES REQUIRED UNDER THIS
40 SUBSECTION (6)(f) MORE FREQUENTLY THAN MONTHLY:

41 (I) DRIVER PAY BEFORE EXPENSES;

42 (II) DRIVER TIPS BEFORE EXPENSES;

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

44 (A) AVAILABLE PLATFORM TIME;

45 (B) DISPATCH PLATFORM TIME; AND

1 (C) CONSUMER PLATFORM TIME;
2 (IV) THE TOTAL MILES THAT THE DRIVER DROVE DURING THE
3 DRIVER'S:
4 (A) AVAILABLE PLATFORM TIME;
5 (B) DISPATCH PLATFORM TIME; AND
6 (C) CONSUMER PLATFORM TIME; AND
7 (V) THE TOTAL AMOUNT THE DRIVER MAY BE ENTITLED TO
8 DEDUCT FROM INCOME CALCULATED USING THE IRS BUSINESS MILEAGE
9 DEDUCTION RATE FOR ALL MILES KNOWN TO THE TNC TO HAVE BEEN
10 DRIVEN DURING THE DRIVER'S:
11 (A) AVAILABLE PLATFORM TIME;
12 (B) DISPATCH PLATFORM TIME; AND
13 (C) CONSUMER PLATFORM TIME.
14 (7) **Driver acceptance or rejection of a transportation task.** A
15 TRANSPORTATION NETWORK COMPANY SHALL NOT SUSPEND, DEACTIVATE,
16 OR RETALIATE AGAINST A DRIVER BASED ON THE DRIVER'S LAWFUL
17 ACCEPTANCE OR REJECTION OF ONE OR MORE TRANSPORTATION TASKS,
18 INCLUDING BY HAMPERING DRIVER ACCESS TO:
19 (a) DRIVER SUPPORT;
20 (b) RIDE OFFERS; OR
21 (c) DESTINATION OR AREA PREFERENCES.
22 (8) **Penalties, fines, and enforcement.** (a) IF A TRANSPORTATION
23 NETWORK COMPANY VIOLATES THIS SECTION, THE TNC MAY BE SUBJECT
24 TO:
25 (I) MONETARY DAMAGES IN THE AMOUNT OF ONE THOUSAND
26 DOLLARS, AS DETERMINED BY THE DIRECTOR OR BY A COURT IN A CIVIL
27 ACTION BROUGHT PURSUANT TO SUBSECTION (8)(d) OF THIS SECTION, ON
28 A PER-CONSUMER OR PER-DRIVER BASIS, WHICH AMOUNT THE TNC SHALL
29 PAY TO THE CONSUMER OR DRIVER AFFECTED BY THE VIOLATION;
30 (II) A FINE OF ONE HUNDRED DOLLARS PER VIOLATION, AS
31 DETERMINED BY THE DIRECTOR ON A PER-CONSUMER OR PER-DRIVER
32 BASIS, WHICH AMOUNT THE TNC SHALL PAY TO THE DIVISION. THE
33 DIVISION SHALL TRANSMIT ALL CIVIL FINES COLLECTED PURSUANT TO THIS
34 SUBSECTION (8)(a)(II) TO THE STATE TREASURER, WHO SHALL CREDIT THE
35 MONEY TO THE GENERAL FUND.
36 (III) INJUNCTIVE RELIEF PURSUANT TO SUBSECTION (8)(d)(II) OF
37 THIS SECTION.
38 (b) THE DIVISION MAY INVESTIGATE ALLEGED VIOLATIONS IN
39 RESPONSE TO COMPLAINTS FILED OR AT THE DIVISION'S DISCRETION.
40 (c) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR DRIVERS
41 AND CONSUMERS TO SUBMIT COMPLAINTS TO THE DIVISION AND FOR THE
42 DIVISION'S INVESTIGATIONS, HEARINGS, AND IMPOSITION OF FINES
43 PURSUANT TO THIS SUBSECTION (8).
44 (d) (I) A PERSON AGGRIEVED BY A TNC'S VIOLATION OF THIS
45 SECTION MAY FILE A CIVIL ACTION AGAINST THE TNC IN THE DISTRICT

1 COURT WHERE:
2 (A) THE PERSON RESIDES;
3 (B) THE VIOLATION OCCURRED; OR
4 (C) THE TNC HAS A PHYSICAL PLACE OF BUSINESS IN THE STATE.
5 (II) (A) THE PERSON FILING THE CIVIL ACTION MAY SEEK
6 INJUNCTIVE RELIEF FROM THE DISTRICT COURT TO COMPEL THE TNC TO
7 COMPLY WITH THIS SECTION OR MAY SEEK MONETARY DAMAGES AS
8 SPECIFIED IN SUBSECTION (8)(a)(I) OF THIS SECTION AND ANY ACTUAL
9 DAMAGES SUSTAINED.
10 (B) IF A PERSON PREVAILS ON ANY CLAIM RAISED IN A CIVIL
11 ACTION BROUGHT AGAINST A TNC UNDER THIS SUBSECTION (8)(d), THE
12 PERSON IS ENTITLED TO RECOVER COSTS AND REASONABLE ATTORNEY
13 FEES.
14 (9) **Rules.** THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO
15 IMPLEMENT THIS SECTION.
16 (10) **Public utilities commission's authority over TNCs.**
17 NOTHING IN THIS SECTION NEGATES, LIMITS, ALTERS, OR DISPLACES THE
18 COMMISSION'S AUTHORITY TO REGULATE TRANSPORTATION NETWORK
19 COMPANIES PURSUANT TO PART 6 OF ARTICLE 10.1 OF TITLE 40 OR
20 PREVENTS A DRIVER OR CONSUMER FROM SEEKING ENFORCEMENT BY THE
21 COMMISSION AGAINST AN ALLEGED VIOLATOR OR A REMEDY FOR A
22 VIOLATION OF PART 6 OF ARTICLE 10.1 OF TITLE 40.
23 **SECTION 2. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this
28 act within such period, then the act, item, section, or part will not take
29 effect unless approved by the people at the general election to be held in
30 November 2024 and, in such case, will take effect on the date of the
31 official declaration of the vote thereon by the governor."

32 Page 1, line 104, after "DEACTIVATION" insert "AND SUSPENSION".

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