

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business Affairs & Labor.

HB26-1043 be amended as follows:

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

3 "SECTION 1. In Colorado Revised Statutes, 40-10.1-605, **amend**
4 (7) and (9); and **add** (6)(e) as follows:

5 **40-10.1-605. Operational requirements - rules.**

6 (6)(e) EXCEPT FOR TRANSPORTATION NETWORK COMPANIES THAT
7 PROVIDE A MAJORITY OF SERVICES FOR SCHOOL DISTRICTS OR SCHOOLS
8 PURSUANT TO A CONTRACT REQUIRED BY SUBSECTION (1)(p) OF THIS
9 SECTION:

10 (I) A TRANSPORTATION NETWORK COMPANY SHALL MANDATE AND
11 PROVIDE EDUCATION TO DRIVERS CONCERNING THE TRANSPORTATION OF
12 RIDERS WITH SERVICE ANIMALS, INCLUDING EDUCATION ON THE
13 PROHIBITION AGAINST DENYING A SERVICE ANIMAL FROM ACCOMPANYING
14 A RIDER PURSUANT TO SUBSECTION (6)(c) OF THIS SECTION;

15 (II) A DRIVER SHALL COMPLETE THE MANDATORY SERVICE ANIMAL
16 EDUCATION NO LATER THAN SIX MONTHS AFTER THE DRIVER IS FIRST
17 ONBOARDED ON THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
18 PLATFORM OR SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
19 SUBSECTION (6)(e), WHICHEVER IS LATER;

20 (III) A TRANSPORTATION NETWORK COMPANY MAY RESTRICT OR
21 SUSPEND A DRIVER'S ACCESS TO ITS DIGITAL PLATFORM IF THE DRIVER
22 FAILS TO COMPLETE THE MANDATORY SERVICE ANIMAL EDUCATION
23 WITHIN THE SIX-MONTH PERIOD DESCRIBED IN SUBSECTION (6)(e)(II) OF
24 THIS SECTION; AND

25 (IV) AS SOON AS PRACTICABLE, A TRANSPORTATION NETWORK
26 COMPANY SHALL ADOPT A POLICY THAT PROHIBITS UNLAWFUL
27 DISCRIMINATION, AS DESCRIBED IN THIS SUBSECTION (6), AND SHALL:

28 (A) PROVIDE THE POLICY TO EACH DRIVER ON THE
29 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK; AND

30 (B) POST THE POLICY ON THE TRANSPORTATION NETWORK
31 COMPANY'S WEBSITE.

32 (7) (a) ~~A transportation network company is not liable for a~~
33 ~~driver's violation of subsection (6) of this section unless the driver's~~
34 ~~violation has been previously reported to the transportation network~~
35 ~~company in writing, and the transportation network company has failed~~
36 ~~to reasonably address the alleged violation. The commission shall afford~~
37 ~~a transportation network company the same due process rights afforded~~
38 ~~transportation providers in defending against~~ THE COMMISSION SHALL
39 TAKE INTO CONSIDERATION A TRANSPORTATION NETWORK COMPANY'S
40 GOOD FAITH EFFORTS, INCLUDING EFFORTS DESCRIBED IN SUBSECTION (6),

1 (9)(b), OR (9)(c) OF THIS SECTION, TO REMEDIATE A DRIVER'S FIRST
2 VIOLATION OF SUBSECTION (6) OF THIS SECTION AND THE TOTAL NUMBER
3 OF VIOLATIONS BY A TRANSPORTATION NETWORK COMPANY THAT HAVE
4 OCCURRED IN THE PRECEDING TWELVE MONTHS IN DETERMINING WHETHER
5 TO ASSESS CIVIL PENALTIES AND THE AMOUNT OF THE civil penalties
6 assessed by the commission PURSUANT TO SUBSECTION (7)(b) OF THIS
7 SECTION.

8 (b) The commission may assess a civil penalty IN AN AMOUNT UP
9 to ~~five hundred fifty~~ ONE THOUSAND THREE HUNDRED dollars ~~under this~~
10 ~~subsection (7)~~ FOR A TRANSPORTATION NETWORK COMPANY'S VIOLATION
11 OF SUBSECTION (6), (9)(b), OR (9)(c) OF THIS SECTION.

12 (9) (a) A driver shall immediately report to the transportation
13 network company any refusal to transport a passenger pursuant to
14 ~~paragraph (a) of subsection (6)~~ SUBSECTION (6) of this section. and

15 (b) The transportation network company shall ~~annually~~ report ~~all~~
16 ~~such refusals~~ ANY REFUSALS TO TRANSPORT IN VIOLATION OF SUBSECTION
17 (6) OF THIS SECTION to the commission ON A MONTHLY BASIS in a form
18 and manner determined by the commission; EXCEPT THAT A
19 TRANSPORTATION NETWORK COMPANY THAT PROVIDES A MAJORITY OF
20 SERVICES FOR SCHOOL DISTRICTS OR SCHOOLS PURSUANT TO A CONTRACT
21 REQUIRED BY SUBSECTION (1)(p) OF THIS SECTION SHALL SUBMIT THE
22 REPORTS ON A QUARTERLY BASIS.

23 (c) EXCEPT FOR TRANSPORTATION NETWORK COMPANIES THAT
24 PROVIDE A MAJORITY OF SERVICES FOR SCHOOL DISTRICTS OR SCHOOLS
25 PURSUANT TO A CONTRACT REQUIRED BY SUBSECTION (1)(p) OF THIS
26 SECTION, A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE A
27 MECHANISM TO ALLOW A CONSUMER TO REPORT DIRECTLY ON THE
28 TRANSPORTATION NETWORK COMPANY'S DIGITAL PLATFORM A DRIVER'S
29 REFUSAL TO TRANSPORT THE CONSUMER IN VIOLATION OF SUBSECTION (6)
30 OF THIS SECTION. THE REPORTING MECHANISM MUST BE ACCESSIBLE AND
31 EASILY NAVIGABLE ON THE DIGITAL PLATFORM. THE TRANSPORTATION
32 NETWORK COMPANY SHALL INCLUDE ANY CONSUMER REPORTS RECEIVED
33 PURSUANT TO THIS SUBSECTION (9)(c) IN THE TRANSPORTATION NETWORK
34 COMPANY'S MONTHLY REPORTS SUBMITTED PURSUANT TO SUBSECTION
35 (9)(b) OF THIS SECTION.

36 (d) THE COMMISSION SHALL AGGREGATE AND ANONYMIZE THE
37 DATA INCLUDED IN THE MONTHLY REPORTS SUBMITTED PURSUANT TO
38 SUBSECTIONS (9)(b) AND (9)(c) OF THIS SECTION; INCLUDE IN THE
39 AGGREGATED, ANONYMIZED MONTHLY REPORTS INFORMATION ON THE
40 ANNUAL NUMBER OF REFUSALS TO TRANSPORT IN VIOLATION OF
41 SUBSECTION (6) OF THIS SECTION AND THIS SUBSECTION (9), INCLUDING
42 THE NUMBER OF INVESTIGATIONS AND REMEDIATIONS MADE; AND MAKE
43 THE AGGREGATED, ANONYMIZED MONTHLY REPORTS AVAILABLE TO THE
44 PUBLIC.

45 **SECTION 2. Act subject to petition - effective date -**

1 **applicability.** (1) This act takes effect January 1, 2027; except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within the ninety-day period after final adjournment of the general
5 assembly, then the act, item, section, or part will not take effect unless
6 approved by the people at the general election to be held in November
7 2026 and, in such case, will take effect January 1, 2027, or on the date of
8 the official declaration of the vote thereon by the governor, whichever is
9 later.
10 (2) This act applies to conduct occurring on or after the applicable
11 effective date of this act."

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