

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 24-0292.01 Jennifer Berman x3286

SENATE BILL 24-075

SENATE SPONSORSHIP

Priola and Rodriguez, Bridges, Cutter, Gonzales, Hinrichsen, Jaquez Lewis, Marchman, Michaelson Jenet, Sullivan

HOUSE SPONSORSHIP

Bacon and Ricks, Amabile, Bird, Boesenecker, Brown, Clifford, Daugherty, Duran, Epps, Froelich, Hamrick, Hernandez, Herod, Jodeh, Kipp, Lieder, Lindsay, Lukens, Mabrey, Marvin, McCluskie, Ortiz, Rutinel, Sirota, Story, Titone, Valdez, Velasco, Vigil, Weissman

Senate Committees

Business, Labor, & Technology
Appropriations

House Committees

Business Affairs & Labor
Appropriations

HOUSE
3rd Reading Unamended
May 6, 2024

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR TRANSPORTATION NETWORK**
102 **COMPANIES, AND, IN CONNECTION THEREWITH, REQUIRING**
103 **TRANSPORTATION NETWORK COMPANIES TO COMPLY WITH**
104 **TRANSPARENCY REQUIREMENTS AND DEACTIVATION AND**
105 **SUSPENSION PROCEDURES AND MAKING AN APPROPRIATION.**

HOUSE
2nd Reading Unamended
May 5, 2024

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>.)

SENATE
3rd Reading Unamended
April 26, 2024

The bill requires a transportation network company (TNC) operating in the state to provide various disclosures to the TNC's drivers

SENATE
Amended 2nd Reading
April 25, 2024

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.

regarding payments that a consumer makes to the TNC and the amount that the TNC then pays to a driver.

On or before May 1, 2025, a TNC is required to develop a driver deactivation policy describing the TNC's procedures for deactivating a driver from the TNC's digital platform.

The TNC is required to disclose to drivers its driver deactivation policy.

On a semiannual basis commencing August 1, 2026, a TNC is required to disclose to the division of labor standards and statistics (division) in the department of labor and employment information regarding transportation tasks completed and any deactivations of drivers during the previous reporting period.

The division may impose fines against a TNC for violations of the bill. A person aggrieved by a TNC's violation of the bill may file a civil suit against the TNC seeking damages or injunctive relief.

The director of the division may adopt rules to implement the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

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

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

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

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

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

16 **(d) (I) "CONSUMER PLATFORM TIME" MEANS THE PERIOD OF TIME**

1 WHEN A DRIVER IS TRANSPORTING ONE OR MORE CONSUMERS OR RIDERS
2 ON A RIDE.

3 (II) "CONSUMER PLATFORM TIME", FOR SHARED RIDES, MEANS THE
4 PERIOD OF TIME COMMENCING WHEN THE FIRST CONSUMER OR RIDER
5 ENTERS A DRIVER'S VEHICLE AND ENDING WHEN THE LAST CONSUMER OR
6 RIDER EXITS THE DRIVER'S VEHICLE.

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

10 (II) "DEACTIVATE" OR "DEACTIVATION" INCLUDES BLOCKING A
11 DRIVER'S ACCESS TO A DIGITAL PLATFORM, SUSPENDING A DRIVER, OR
12 CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE TO PROVIDE
13 TRANSPORTATION SERVICES FOR A TNC FOR SEVENTY-TWO HOURS OR
14 MORE.

15 (f) "DIGITAL PLATFORM" MEANS AN ONLINE APPLICATION, AN
16 INTERNET SITE, OR A SYSTEM, EITHER OF WHICH A TNC USES TO
17 FACILITATE, MANAGE, OR FACILITATE AND MANAGE TRANSPORTATION
18 SERVICES.

19 (g) (I) "DISPATCH PLATFORM TIME" MEANS THE PERIOD OF TIME
20 BETWEEN A DRIVER'S RECEIPT OF A REQUEST FOR A TRANSPORTATION TASK
21 THROUGH THE TNC'S DIGITAL PLATFORM AND THE TIME WHEN EITHER THE
22 DRIVER PICKS UP A CONSUMER OR RIDER OR WHEN A CONSUMER OR THE
23 DRIVER CANCELS THE RIDE.

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

27 (h) "DRIVER" MEANS A TRANSPORTATION NETWORK COMPANY

1 DRIVER AS DEFINED IN SECTION 40-10.1-602 (4).

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

4 (I) PAY FOR TRANSPORTATION TASKS;

5 (II) PASS-THROUGHS;

6 (III) BONUS OR INCENTIVE PAY; AND

7 (IV) TIPS.

8 (j) (I) "DRIVER SUPPORT ORGANIZATION" OR "ORGANIZATION"
9 MEANS A MEMBERSHIP-BASED AND MEMBER-LED NONPROFIT OR LABOR
10 ORGANIZATION:

11 (A) WITH A PRINCIPAL PURPOSE TO SUPPORT DRIVERS AND THAT
12 HAS CONSISTENTLY OPERATED IN COLORADO FOR AT LEAST FOUR YEARS
13 WITH THAT PURPOSE;

14 (B) THAT IS NOT FUNDED, DIRECTLY OR INDIRECTLY, EXCESSIVELY
15 INFLUENCED, OR CONTROLLED BY A TNC; AND

16 (C) THAT IS NOT AFFILIATED WITH ANY OTHER ENTITY THAT IS
17 FUNDED, DIRECTLY OR INDIRECTLY, EXCESSIVELY INFLUENCED, OR
18 CONTROLLED BY A TNC.

19 (II) AS USED IN THIS SUBSECTION (1)(j):

20 (A) "EXCESSIVE INFLUENCE" INCLUDES RECEIVING THE IDENTITIES
21 OR CONTACT INFORMATION OF DRIVERS FROM A TNC.

22 (B) "FUNDED, DIRECTLY OR INDIRECTLY" DOES NOT INCLUDE
23 RECEIVING FUNDS PURSUANT TO SUBSECTION (6) OF THIS SECTION OR A
24 DUES DEDUCTION AS DESCRIBED IN SUBSECTION (7) OF THIS SECTION.

25 (k) "DRIVER TIPS BEFORE EXPENSES" MEANS THE TOTAL MONTHLY
26 AMOUNT OF TIPS THAT CONSUMERS PAY A TNC, THAT ARE INTENDED AS
27 PAYMENT TO THE DRIVER, AND THAT THE TNC REMITS TO THE DRIVER.

1 (l) "IRS BUSINESS MILEAGE DEDUCTION RATE" MEANS THE
2 FEDERAL INTERNAL REVENUE SERVICE'S PREVAILING MILEAGE
3 COST-DEDUCTION RATE FOR BUSINESS USE.

4 (m) "PASS-THROUGH" MEANS A SUM THAT A TNC PAYS A DRIVER
5 TO COVER COSTS, SUCH AS TOLLS, THAT THE DRIVER INCURS WHILE
6 PERFORMING WORK THROUGH A TNC'S DIGITAL PLATFORM.

7 (n) "RIDER" HAS THE SAME MEANING AS "TRANSPORTATION
8 NETWORK COMPANY RIDER" AS DEFINED IN SECTION 40-10.1-602 (5).

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

12 (II) "SUSPEND" OR "SUSPENSION" INCLUDES:

13 (A) BLOCKING A DRIVER'S ACCESS TO THE DIGITAL PLATFORM;

14 (B) SUSPENDING A DRIVER; OR

15 (C) CHANGING A DRIVER'S STATUS FROM ELIGIBLE TO INELIGIBLE
16 TO PROVIDE TRANSPORTATION SERVICES FOR THE TNC FOR LESS THAN
17 SEVENTY-TWO HOURS.

18 (p) "TIP" MEANS A GRATUITY THAT A CONSUMER:

19 (I) INDICATES THROUGH A DIGITAL PLATFORM AS INTENDED FOR
20 DIRECT PAYMENT TO A DRIVER; OR

21 (II) WOULD REASONABLY EXPECT TO BE PAID IN FULL TO A DRIVER.

22 (q) "TRANSPORTATION NETWORK COMPANY" OR "TNC" HAS THE
23 MEANING SET FORTH IN SECTION 40-10.1-602 (3); EXCEPT THAT THE TERM
24 DOES NOT INCLUDE A TNC THAT:

25 (I) EITHER SERVES RIDERS AT LEAST SEVENTY-FIVE PERCENT OF
26 WHOM ARE UNDER THE AGE OF EIGHTEEN OR EARNS AT LEAST NINETY
27 PERCENT OF THE TNC'S REVENUE FROM CONTRACTS WITH A PUBLIC OR

1 PRIVATE SCHOOL, THE FEDERAL GOVERNMENT, THE STATE, OR AN AGENCY
2 OR A POLITICAL SUBDIVISION OF THE FEDERAL GOVERNMENT OR OF THE
3 STATE;

4 (II) HAS AT LEAST NINETY PERCENT OF THE TNC'S DRIVERS IN
5 COMPLIANCE WITH THE COMMISSION'S RULES PROMULGATED PURSUANT TO
6 SECTION 40-10.1-608 (3)(a);

7 (III) ATTESTS THAT THE TNC MEETS THE REQUIREMENTS SET
8 FORTH IN SUBSECTIONS (1)(q)(I) AND (1)(q)(II) OF THIS SECTION AND
9 SUBMITS AN ATTESTATION TO THE COMMISSION ON OR BEFORE JANUARY
10 1, 2025, AND WITH EACH PERMIT RENEWAL APPLICATION SUBMITTED TO
11 THE COMMISSION PURSUANT TO SECTION 40-10.1-606; AND

12 (IV) DISCLOSES TO A DRIVER THE DESTINATION AND EXPECTED
13 COMPENSATION FOR A RIDE BEFORE THE DRIVER ACCEPTS THE RIDE FOR
14 ALL TRANSPORTATION TASKS PROVIDED THROUGH THE TNC'S DIGITAL
15 PLATFORM.

16 (r) "TRANSPORTATION SERVICES" HAS THE SAME MEANING AS
17 "TRANSPORTATION NETWORK COMPANY SERVICES" AS DEFINED IN SECTION
18 40-10.1-602 (6).

19 (s) "TRANSPORTATION TASK" MEANS A DRIVER'S PROVISION OF
20 TRANSPORTATION SERVICES TO A CONSUMER OR TO ONE OR MORE RIDERS
21 FOR WHOM A CONSUMER ORDERS TRANSPORTATION SERVICES THROUGH
22 A TNC'S DIGITAL PLATFORM.

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

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

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

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

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

6 (a) ON OR BEFORE MAY 1, 2025, A TRANSPORTATION NETWORK COMPANY
7 SHALL INFORM EACH DRIVER OF THE TNC'S DEACTIVATION AND
8 SUSPENSION POLICY AND THE TYPES OF VIOLATIONS THAT MAY WARRANT
9 DEACTIVATION OR SUSPENSION. THE TNC'S DEACTIVATION AND
10 SUSPENSION POLICY MUST:

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

13 (II) CLEARLY LIST THE CIRCUMSTANCES THAT CONSTITUTE A
14 VIOLATION THAT MAY WARRANT DEACTIVATION OR SUSPENSION UNDER
15 THE DEACTIVATION AND SUSPENSION POLICY AND INDICATE THE SPECIFIC
16 CONSEQUENCES FOR EACH LISTED VIOLATION, INCLUDING THE
17 CONSEQUENCES RESULTING IN:

18 (A) DEACTIVATION OR SUSPENSION AND THE SPECIFIC NUMBER OF
19 DAYS OR RANGE OF DAYS FOR A DEACTIVATION OR SUSPENSION; OR

20 (B) ANY OTHER SANCTION;

21 (III) DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES
22 FOR NOTIFYING A DRIVER OF A SUSPENSION OR A DEACTIVATION AND THE
23 REASON FOR THE SUSPENSION OR DEACTIVATION. THE PROCEDURES NEED
24 NOT REQUIRE THAT THE TNC PROVIDE THE DRIVER WITH A REASON FOR
25 THE SUSPENSION OR DEACTIVATION IF THE SUSPENSION OR DEACTIVATION
26 IS THE RESULT OF AN ALLEGATION OF ASSAULT OR OTHER EGREGIOUS
27 MISCONDUCT, INCLUDING AN ALLEGATION OF SEXUAL MISCONDUCT.

1 (IV) CONSISTENT WITH SUBSECTION (5) OF THIS SECTION,
2 DESCRIBE FAIR, OBJECTIVE, AND REASONABLE PROCEDURES FOR THE
3 RECONSIDERATION OF A DEACTIVATION DECISION CONSISTENT WITH THE
4 REQUIREMENTS OF SUBSECTION (4) OF THIS SECTION AND THE PROCESS BY
5 WHICH A DRIVER MAY REQUEST A DEACTIVATION RECONSIDERATION WITH
6 THE TNC.

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

10 (I) SPECIFIC ENOUGH FOR A DRIVER TO UNDERSTAND WHAT
11 CONSTITUTES A VIOLATION OF THE POLICY AND HOW TO AVOID VIOLATING
12 THE POLICY;

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

15 (A) PROMINENTLY DISPLAYING THE POLICY AND E-MAILING THE
16 POLICY TO A NEW DRIVER AT THE TIME THAT THE DRIVER APPLIES TO WORK
17 AS A DRIVER FOR THE TNC;

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

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

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

1 (IV) SENT TO THE DIVISION IN EACH REQUIRED LANGUAGE AND
2 MADE PUBLICLY AVAILABLE ON THE INTERNET FOR AT LEAST FOURTEEN
3 DAYS BEFORE THE POLICY BECOMES ENFORCEABLE. FOR ANY
4 AMENDMENTS MADE TO A TNC'S DEACTIVATION AND SUSPENSION POLICY,
5 THE TNC SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
6 (3).

7 (c) A TNC SHALL NOT DEACTIVATE OR SUSPEND A DRIVER UNLESS
8 THE DEACTIVATION OR SUSPENSION IS CONSISTENT WITH THE TNC'S
9 DEACTIVATION AND SUSPENSION POLICY, OR AMENDED DEACTIVATION
10 AND SUSPENSION POLICY, AS WRITTEN AND DISTRIBUTED IN ACCORDANCE
11 WITH THIS SUBSECTION (3).

12 (4) **Deactivation - notice.** (a) WITHIN TWENTY-FOUR HOURS
13 AFTER A TNC SUSPENDS A DRIVER, THE TNC SHALL PROVIDE A WRITTEN
14 DISCLOSURE TO THE DRIVER IN THE DEFAULT LANGUAGE THAT THE DRIVER
15 HAS SELECTED IN THE TNC'S DIGITAL PLATFORM. THE WRITTEN
16 DISCLOSURE MUST DESCRIBE THE BASIS FOR THE SUSPENSION AND
17 PROVIDE:

18 (I) SUFFICIENT INFORMATION FOR THE DRIVER TO REASONABLY
19 UNDERSTAND THE REASONS FOR THE SUSPENSION; AND

20 (II) A DESCRIPTION OF THE STEPS THAT THE DRIVER MAY TAKE, IF
21 ANY, TO REMEDY THE ALLEGED VIOLATION OF THE TNC'S DEACTIVATION
22 AND SUSPENSION POLICY.

23 (b) WITHIN TWENTY-FOUR HOURS AFTER A TNC DEACTIVATES A
24 DRIVER, THE TNC SHALL PROVIDE A WRITTEN DISCLOSURE TO THE DRIVER
25 IN THE DEFAULT LANGUAGE THAT THE DRIVER HAS SELECTED IN THE
26 TNC'S DIGITAL PLATFORM. THE WRITTEN DISCLOSURE MUST DESCRIBE THE
27 BASIS FOR THE DEACTIVATION AND PROVIDE:

1 (I) SUFFICIENT INFORMATION FOR THE DRIVER TO REASONABLY
2 UNDERSTAND THE REASONS FOR THE DEACTIVATION;

3 (II) A DESCRIPTION OF THE STEPS THAT THE DRIVER MAY TAKE, IF
4 ANY, TO REMEDY THE ALLEGED VIOLATION OF THE TNC'S DEACTIVATION
5 AND SUSPENSION POLICY;

6 (III) A STATEMENT OF THE DRIVER'S RIGHT TO CHALLENGE THE
7 DEACTIVATION THROUGH THE TNC'S INTERNAL DEACTIVATION REVIEW
8 PROCESS OUTLINED IN SUBSECTION (5)(a) OF THIS SECTION AND A LINK TO
9 A DESCRIPTION OF THAT INTERNAL PROCESS; AND

10 (IV) THE AVAILABILITY OF DRIVER SUPPORT SERVICES AT THE
11 DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT TO SUBSECTION
12 (6)(a) OF THIS SECTION, A NOTICE THAT THE CERTIFIED DRIVER SUPPORT
13 ORGANIZATION IS INDEPENDENT OF ANY TNC, AND CONTACT
14 INFORMATION FOR THE CERTIFIED DRIVER SUPPORT ORGANIZATION.

15 (c) A TNC SHALL SEND THE DISCLOSURES REQUIRED IN
16 ACCORDANCE WITH THIS SUBSECTION (4) TO A DRIVER THROUGH THE
17 TNC'S DIGITAL PLATFORM AND VIA E-MAIL OR OTHER MECHANISM THAT
18 REMAINS ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR.

19 (5) **Deactivation - internal process - reconsideration -**
20 **investigations - reports.** (a) A DRIVER WHO HAS BEEN DEACTIVATED
21 MAY, WITHIN THIRTY CALENDAR DAYS AFTER RECEIVING A WRITTEN
22 NOTICE OF DEACTIVATION PURSUANT TO SUBSECTION (4)(b) OF THIS
23 SECTION, CHALLENGE THE DEACTIVATION WITH THE TNC PURSUANT TO
24 THE TNC'S INTERNAL DEACTIVATION REVIEW PROCESS.

25 (b) A TNC SHALL CONDUCT AN INTERNAL DEACTIVATION
26 RECONSIDERATION OF A CHALLENGED DEACTIVATION WITHIN FOURTEEN
27 CALENDAR DAYS AFTER THE DRIVER MAKES THE WRITTEN REQUEST FOR

1 DEACTIVATION RECONSIDERATION; EXCEPT THAT THE TNC MAY NOTIFY
2 THE DRIVER IN WRITING OF A CONTINUANCE OF THE DEACTIVATION
3 RECONSIDERATION IF THE DRIVER HAS NOT PROVIDED SUFFICIENT
4 EVIDENCE OR DOCUMENTATION FOR CONSIDERATION BY THE TNC OR IF
5 CIRCUMSTANCES OUTSIDE OF THE TNC'S CONTROL REQUIRE ADDITIONAL
6 TIME TO RECONSIDER THE CHALLENGED DEACTIVATION.

7 (c) A TNC'S INTERNAL DEACTIVATION REVIEW MUST:

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

10 (II) BE CONDUCTED IN GOOD FAITH; AND

11 (III) APPLY EVENHANDEDLY THE TNC'S DEACTIVATION POLICY,
12 CONSISTENT WITH THE TNC'S INTEREST IN SAFE AND EFFICIENT
13 OPERATIONS.

14 (d) THE TNC'S RESOLUTION OF A DRIVER'S CHALLENGE TO A
15 DEACTIVATION MUST INCLUDE A WRITTEN STATEMENT THAT THE TNC
16 SENDS THE DRIVER THROUGH THE TNC'S DIGITAL PLATFORM AND VIA
17 E-MAIL OR OTHER MECHANISM THAT THE TNC REASONABLY EXPECTS WILL
18 REMAIN ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR. THE
19 WRITTEN STATEMENT MUST INCLUDE:

20 (I) A DETERMINATION AFFIRMING DEACTIVATION AND INCLUDING:

21 (A) A SUMMARY OF THE REASONS FOR THE DEACTIVATION;

22 (B) A DESCRIPTION OF THE STEPS THE DRIVER MAY TAKE, IF ANY,
23 TO REMEDY THE ALLEGED VIOLATION; AND

24 (C) INFORMATION ABOUT THE DRIVER'S RIGHT TO SEEK SERVICES
25 FROM THE DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT TO
26 SUBSECTION (6)(a) OF THIS SECTION AND SPECIFIC INSTRUCTIONS ON HOW
27 TO CONTACT THE CERTIFIED DRIVER SUPPORT ORGANIZATION, INCLUDING

1 E-MAIL AND TELEPHONE CONTACT INFORMATION; OR

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

7 **(6) Driver support organization - application - certification -**
8 **budget - TNC payments - division oversight - rules. (a) Certification**
9 **of driver support organizations and quarterly budgets. (I) BEGINNING**
10 **JANUARY 1, 2025, UNTIL MARCH 31, 2025, THE DIVISION SHALL ACCEPT**
11 **APPLICATIONS FOR CERTIFICATION FROM ELIGIBLE DRIVER SUPPORT**
12 **ORGANIZATIONS AND SHALL CERTIFY A SINGLE DRIVER SUPPORT**
13 **ORGANIZATION FOR THE THREE-YEAR PERIOD BEGINNING OCTOBER 1,**
14 **2025, THROUGH SEPTEMBER 30, 2028. THE DIVISION SHALL CERTIFY A**
15 **SINGLE DRIVER SUPPORT ORGANIZATION FOR EACH SUBSEQUENT**
16 **THREE-YEAR PERIOD AND SHALL BEGIN ACCEPTING APPLICATIONS FOR THE**
17 **SECOND THREE-YEAR PERIOD IN JANUARY 2028.**

18 (II) (A) A DRIVER SUPPORT ORGANIZATION APPLYING FOR
19 CERTIFICATION FROM THE DIVISION SHALL SUBMIT FOR REVIEW BY THE
20 DIVISION A PROPOSED ANNUAL BUDGET. THE DRIVER SUPPORT
21 ORGANIZATION CERTIFIED BY THE DIVISION SHALL ALSO SUBMIT FOR
22 REVIEW BY THE DIVISION A PROPOSED ANNUAL BUDGET FOR EACH YEAR OF
23 THE ORGANIZATION'S THREE-YEAR CERTIFICATION CYCLE.

24 (B) A DRIVER SUPPORT ORGANIZATION'S PROPOSED ANNUAL
25 BUDGET SUBMITTED PURSUANT TO SUBSECTION (6)(a)(II)(A) OF THIS
26 SECTION MAY BE USED ONLY FOR EDUCATING TNC DRIVERS AND
27 SUPPORTING DRIVERS REGARDING DEACTIVATIONS IN ACCORDANCE WITH

1 SUCH ORGANIZATION'S AUTHORITY AND RESPONSIBILITIES SET FORTH IN
2 SUBSECTION (6)(b) OF THIS SECTION.

3 (C) A DRIVER SUPPORT ORGANIZATION'S PROPOSED TOTAL ANNUAL
4 BUDGET MUST NOT EXCEED SEVEN CENTS PER TRANSPORTATION TASK
5 BASED ON THE PREVIOUS YEAR'S TOTAL TRANSPORTATION TASKS FOR ALL
6 TNCs OPERATING IN THE STATE, AS ADJUSTED FOR INFLATION BY THE
7 DIRECTOR.

8 (III) IN CONSIDERING WHETHER AN ORGANIZATION IS A DRIVER
9 SUPPORT ORGANIZATION AS DEFINED IN SUBSECTION (1)(j) OF THIS
10 SECTION, WHETHER THE ORGANIZATION QUALIFIES FOR CERTIFICATION,
11 AND WHETHER TO APPROVE THE ORGANIZATION'S PROPOSED ANNUAL
12 BUDGET, THE DIVISION:

13 (A) SHALL CONSIDER EVIDENCE SUBMITTED BY THE
14 ORGANIZATION AND ANY EVIDENCE SUBMITTED BY THE PUBLIC,
15 INCLUDING ANY EVIDENCE SUBMITTED BY OTHER DRIVER SUPPORT
16 ORGANIZATIONS; AND

17 (B) MAY REQUEST FROM THE ORGANIZATION OR FROM ANY TNC
18 THE NUMBER OF DRIVERS THAT THE ORGANIZATION SERVED IN THE STATE
19 IN THE PREVIOUS YEAR AND WHETHER THE DRIVER SUPPORT
20 ORGANIZATION HAS, DIRECTLY OR INDIRECTLY, RECEIVED SUPPORT FROM
21 A TNC.

22 (IV) THE DIVISION MAY APPROVE, REJECT, OR REQUIRE REVISION
23 AND RESUBMISSION OF AN APPLICATION FOR CERTIFICATION OR APPROVAL
24 OF A PROPOSED ANNUAL BUDGET.

25 (V) THE DIVISION SHALL POST EACH DRIVER SUPPORT
26 ORGANIZATION'S CERTIFICATION APPLICATION AND PROPOSED ANNUAL
27 BUDGET ON THE DIVISION'S WEBSITE. THE DIVISION SHALL NOT CERTIFY AN

1 ORGANIZATION OR APPROVE A PROPOSED ANNUAL BUDGET UNTIL AT
2 LEAST THIRTY DAYS AFTER THE DIVISION HAS POSTED THE APPLICATION OR
3 PROPOSED BUDGET.

4 (VI) IN CONSIDERING A DRIVER SUPPORT ORGANIZATION'S
5 PROPOSED BUDGET SUBMITTED PURSUANT TO SUBSECTION (6)(a)(II)(A) OF
6 THIS SECTION, THE DIVISION SHALL CONSIDER THE ORGANIZATION'S
7 RECORD OF SERVING DEACTIVATED DRIVERS. UPON APPROVING THE
8 CERTIFIED DRIVER SUPPORT ORGANIZATION'S PROPOSED ANNUAL BUDGET,
9 THE DIVISION SHALL DIRECT EACH TNC TO REMIT A QUARTERLY SHARE OF
10 THE CERTIFIED DRIVER SUPPORT ORGANIZATION'S APPROVED ANNUAL
11 BUDGET TO THE CERTIFIED DRIVER SUPPORT ORGANIZATION WITHIN
12 FIFTEEN DAYS AFTER THE END OF EACH CALENDAR QUARTER.

13 (VII) THE CERTIFIED DRIVER SUPPORT ORGANIZATION'S ANNUAL
14 BUDGET MAY INCREASE DURING THE COURSE OF THE ORGANIZATION'S
15 THREE-YEAR CERTIFICATION PERIOD BASED ON INCREASES IN
16 TRANSPORTATION TASKS AND THE EXTENT OF SERVICES THAT THE DRIVER
17 SUPPORT ORGANIZATION PROVIDED TO DRIVERS SERVED BY THE DRIVER
18 SUPPORT ORGANIZATION.

19 (VIII) EACH TNC SHALL PROVIDE TO THE DIVISION THE TOTAL
20 NUMBER OF ANNUAL TRANSPORTATION TASKS BEGINNING IN THE STATE IN
21 THE PRECEDING YEAR WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE
22 OF THIS SECTION AND BY JANUARY 15 IN EACH FOLLOWING YEAR.

23 (IX) EVERY SIX MONTHS DURING A DRIVER SUPPORT
24 ORGANIZATION'S CERTIFICATION PERIOD, THE ORGANIZATION SHALL
25 CERTIFY TO THE DIVISION THAT THE ORGANIZATION CONTINUES TO
26 COMPLY WITH THE REQUIREMENTS OF THIS SECTION. TO DEMONSTRATE ITS
27 CONTINUED COMPLIANCE, THE ORGANIZATION SHALL SUBMIT TO THE

1 DIVISION DOCUMENTATION AND INFORMATION REGARDING THE NUMBER
2 OF DRIVERS THAT THE ORGANIZATION SERVES AND THE EXTENT OF ITS
3 SERVICES. THE ORGANIZATION SHALL NOT SUBMIT TO THE DIVISION A LIST
4 OF MEMBERS OR DRIVERS SERVED.

5 (X) THE DIVISION MAY REVOKE A DRIVER SUPPORT
6 ORGANIZATION'S CERTIFICATION OR ALTER OR REVOKE THE DIVISION'S
7 APPROVAL OF THE CERTIFIED ORGANIZATION'S BUDGET AT ANY TIME IF
8 CLEAR AND CONVINCING EVIDENCE DEMONSTRATES THAT THE
9 ORGANIZATION:

10 (A) IS MISALLOCATING MONEY IT HAS RECEIVED FROM A TNC
11 PURSUANT TO SUBSECTION (6)(a)(VI) OF THIS SECTION; OR

12 (B) NO LONGER QUALIFIES ASA DRIVER SUPPORT ORGANIZATION.

13 (XI) IF A TNC ELECTS TO DESCRIBE THE PER-TRIP AMOUNT
14 ALLOCATED TO THE DRIVER SUPPORT ORGANIZATION ANNUAL BUDGET ON
15 A CONSUMER RECEIPT, THE TNC MAY ONLY INDICATE THAT THE
16 DEDUCTION WILL BE USED IN PART TO SUPPORT THE STATE'S CERTIFIED
17 DRIVER SUPPORT ORGANIZATION.

18 (XII) FOLLOWING THE COMPLETION OF EACH THREE-YEAR
19 CERTIFICATION PERIOD, THE DIVISION MAY INCREASE THE PER-TRIP
20 AMOUNT THAT A TNC IS REQUIRED TO PAY PURSUANT TO SUBSECTION
21 (6)(a)(II)(C) OF THIS SECTION IF THE DIVISION DETERMINES THAT THE
22 INCREASE IS NECESSARY TO COVER THE CERTIFIED DRIVER SUPPORT
23 ORGANIZATION'S COSTS AND THE INCREASE DOES NOT EXCEED THE RATE
24 OF INFLATION DURING THE PREVIOUS THREE-YEAR CERTIFICATION PERIOD.

25 (b) **Certified driver support organization - TNC notice to**
26 **drivers - organization responsibilities.** (I) ON OR BEFORE OCTOBER 30,
27 2025, EACH TNC SHALL PROVIDE NOTICE TO EACH DRIVER IN THE STATE

1 THE NAME OF THE DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT
2 TO SUBSECTION (6)(a) OF THIS SECTION. AS PART OF THE NOTICE, THE TNC
3 SHALL ALSO INFORM DRIVERS:

4 (A) THAT THE ORGANIZATION HAS BEEN CERTIFIED AS A DRIVER
5 SUPPORT ORGANIZATION AND HAS MET CERTAIN CRITERIA AS APPROVED
6 BY THE DIVISION;

7 (B) THAT THE ORGANIZATION IS APPROVED BY THE STATE TO
8 REPRESENT DRIVERS IN THE DEACTIVATION PROCESS AND EDUCATE
9 DRIVERS, BUT THAT A DRIVER IS NOT REQUIRED TO AUTHORIZE THE
10 ORGANIZATION TO REPRESENT THE DRIVER; AND

11 (C) OF THE ORGANIZATION'S CONTACT INFORMATION, INCLUDING
12 PHONE NUMBER, E-MAIL ADDRESS, WEB ADDRESS, AND PHYSICAL
13 ADDRESS.

14 (II) ON AND AFTER OCTOBER 31, 2025, EACH TNC SHALL PROVIDE
15 THE NOTICE DESCRIBED IN SUBSECTION (6)(b)(I) OF THIS SECTION TO:

16 (A) EACH NEW DRIVER BEFORE THE DRIVER ENGAGES IN A
17 TRANSPORTATION TASK FOR THE TNC; AND

18 (B) ANY DRIVER UPON BEING SUSPENDED OR DEACTIVATED.

19 (III) PURSUANT TO A WRITTEN AUTHORIZATION FROM A DRIVER
20 WHO HAS BEEN DEACTIVATED, THE CERTIFIED DRIVER SUPPORT
21 ORGANIZATION MAY REPRESENT OR SUPPORT THE DRIVER THROUGH THE
22 PROCEDURES MADE AVAILABLE TO THE DEACTIVATED DRIVER THROUGH
23 THE DRIVER'S CONTRACT WITH THE TNC OR OTHERWISE MADE AVAILABLE
24 UNDER THE LAW. AN EMPLOYEE OF THE ORGANIZATION MAY PROVIDE
25 SUCH REPRESENTATION OR SUPPORT TO A DRIVER REGARDLESS OF
26 WHETHER THE EMPLOYEE IS AUTHORIZED TO PRACTICE LAW IN THE STATE.

27 (IV) (A) THE CERTIFIED DRIVER SUPPORT ORGANIZATION IS

1 REQUIRED TO PROVIDE REASONABLE AND FAIR REPRESENTATION TO
2 DRIVERS BASED ON THE ORGANIZATION'S APPROVED ANNUAL BUDGET AND
3 ITS REASONABLE ASSESSMENT OF EACH DRIVER'S CASE.

4 (B) THE ORGANIZATION SHALL NOT DENY REASONABLE
5 REPRESENTATION TO ANY DRIVER IN ANY MANNER THAT IS ARBITRARY,
6 DISCRIMINATORY, OR IN BAD FAITH.

7 (C) THE ORGANIZATION SHALL NOT ADVANCE FILING FEES TO
8 DRIVERS IN ANY DISPUTE RELATED TO A DEACTIVATION RECONSIDERATION
9 OR AN APPEAL OR ACTION ARISING FROM A DEACTIVATION.

10 (D) IN DISPUTES RELATED TO A DEACTIVATION RECONSIDERATION
11 OR AN APPEAL OR ACTION ARISING FROM A DEACTIVATION, PREVAILING
12 DRIVERS ARE ENTITLED TO RECOVER FILING FEES.

13 (c) **Division rules.** THE DIVISION MAY ADOPT RULES TO INTERPRET
14 AND IMPLEMENT THIS SUBSECTION (6) AND TO ENSURE TNC'S' AND DRIVER
15 SUPPORT ORGANIZATIONS' COMPLIANCE WITH THIS SUBSECTION (6).

16 (7) (a) **Driver support organization - voluntary dues**
17 **deduction.** ON OR BEFORE SEPTEMBER 1, 2025, A TNC SHALL PROVIDE A
18 DRIVER AN OPPORTUNITY TO MAKE A VOLUNTARY, PER-TRIP DEDUCTION
19 ON THE DRIVER'S EARNINGS TO CONTRIBUTE TO THE CERTIFIED DRIVER
20 SUPPORT ORGANIZATION IN AN AMOUNT BETWEEN ONE AND ONE HALF
21 PERCENT OR THREE PERCENT PER RIDE IF:

22 (I) THE ORGANIZATION IS IN GOOD STANDING;

23 (II) ONE HUNDRED OR MORE DRIVERS ON A TNC'S DIGITAL
24 PLATFORM HAVE AUTHORIZED SUCH DEDUCTION AND CONTRIBUTION TO
25 A SPECIFIC DRIVER SUPPORT ORGANIZATION; AND

26 (III) THE DRIVER HAS EXPRESSLY AUTHORIZED THE DEDUCTION IN
27 WRITING, WHICH WRITTEN AUTHORIZATION MUST INCLUDE, AT A MINIMUM,

1 SUFFICIENT INFORMATION TO IDENTIFY THE DRIVER AND THE DRIVER'S
2 DESIRED PER-TRIP DEDUCTION PERCENTAGE.

3 (b) THE TNC MAY REQUIRE A DRIVER'S WRITTEN AUTHORIZATION
4 PROVIDED PURSUANT TO SUBSECTION (7)(a)(III) OF THIS SECTION TO BE
5 SUBMITTED BY THE DRIVER SUPPORT ORGANIZATION IN AN ELECTRONIC
6 FORMAT.

7 (c) A TNC SHALL MAKE THE FIRST AUTHORIZED DEDUCTIONS
8 FROM A DRIVER'S EARNINGS WITHIN THIRTY DAYS AFTER RECEIVING A
9 DRIVER'S WRITTEN AUTHORIZATION AND SHALL REMIT THE AMOUNTS
10 DEDUCTED TO THE DRIVER SUPPORT ORGANIZATION ON A MONTHLY BASIS
11 AND NO LATER THAN TWENTY-EIGHT DAYS AFTER THE END OF THE
12 PREVIOUS MONTH.

13 (d) A DRIVER'S WRITTEN AUTHORIZATION REMAINS IN EFFECT
14 UNTIL THE DRIVER PROVIDES AN EXPRESS REVOCATION TO THE TNC.

15 (e) A TNC SHALL RELY ON INFORMATION THAT THE DRIVER
16 SUPPORT ORGANIZATION PROVIDES THE TNC REGARDING A DRIVER'S
17 WRITTEN AUTHORIZATION AND EXPRESS REVOCATION.

18 (f) UPON REQUEST BY A TNC, THE DRIVER SUPPORT
19 ORGANIZATION SHALL REIMBURSE THE TNC FOR THE TNC'S COSTS
20 ASSOCIATED WITH ADMINISTERING THE DEDUCTIONS AND REMITTANCE TO
21 THE DRIVER SUPPORT ORGANIZATION.

22 (g) A DRIVER SUPPORT ORGANIZATION SHALL NOT REPRESENT OR
23 IMPLY THAT THE EARNINGS DEDUCTIONS AUTHORIZED IN THIS SUBSECTION
24 (7) ARE MANDATORY OR PROVIDE DIFFERING LEVELS OF SUPPORT FOR ANY
25 DEACTIVATION IN ACCORDANCE WITH SUBSECTION (6)(b) OF THIS SECTION
26 BASED ON WHETHER A DRIVER HAS OPTED INTO VOLUNTARY DEDUCTIONS
27 PURSUANT TO THIS SUBSECTION (7).

1 (8) Dispute resolution - rights. IN ADDITION TO ANY OTHER
2 CONSTRAINTS IMPOSED BY LAW, A TNC SHALL NOT INCLUDE IN ANY
3 CONTRACT WITH A DRIVER IN RELATION TO ANY DEACTIVATION
4 RECONSIDERATION OR APPEAL OR ACTION ARISING FROM A DEACTIVATION:

5 (a) A REQUIREMENT THAT DISPUTES BETWEEN THE DRIVER AND
6 THE TNC BE ADJUDICATED OUT OF STATE; EXCEPT THAT THE TNC MAY
7 CONDUCT ITS INTERNAL DEACTIVATION CHALLENGE PROCESS
8 ESTABLISHED PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION THROUGH
9 CORRESPONDENCE WITH OUT-OF-STATE TNC REPRESENTATIVES SO LONG
10 AS THE DRIVER IS NOT REQUIRED TO TRAVEL TO COMPLETE THE PROCESS;

11 (b) A WAIVER OF RIGHTS GRANTED THROUGH FEDERAL, STATE, OR
12 LOCAL LAW, EXCEPT WITH RESPECT TO A WAIVER OF THE RIGHT TO A JURY
13 TRIAL THROUGH AN ARBITRATION PROVISION;

14 (c) A REQUIREMENT THAT THE DRIVER PAY ANY FEE EXCEEDING
15 THE AMOUNT THAT THE DRIVER WOULD HAVE HAD TO PAY IF BRINGING
16 THE SAME ACTION IN FEDERAL DISTRICT COURT IN THE STATE, INCLUDING
17 ANY FEE REDUCTION THAT THE DRIVER WOULD HAVE BEEN ELIGIBLE FOR
18 IN FEDERAL DISTRICT COURT IN THE STATE BASED ON A DETERMINATION
19 THAT THE DRIVER IS INDIGENT;

20 (d) A REQUIREMENT THAT THE DRIVER PAY THE TNC'S COSTS OR
21 ATTORNEY FEES; OR

22 (e) A REQUIREMENT THAT THE DISPUTE BE ADJUDICATED,
23 ARBITRATED, OR RESOLVED BY ANY PERSON OR ORGANIZATION THAT IS
24 NOT A NEUTRAL THIRD PARTY.

25 (9) Semiannual disclosures to the division. ON AUGUST 1, 2026,
26 AND ON A SEMIANNUAL BASIS THEREAFTER, A TRANSPORTATION NETWORK
27 COMPANY SHALL MAKE THE FOLLOWING DISCLOSURES TO THE DIVISION:

1 (a) THE NUMBER OF DRIVER DEACTIVATIONS DURING THE
2 REPORTING PERIOD;

3 (b) THE NUMBER OF DEACTIVATION RECONSIDERATIONS:

4 (I) REQUESTED DURING THE REPORTING PERIOD;

5 (II) THAT OCCURRED DURING THE REPORTING PERIOD;

6 (III) THAT RESULTED IN DRIVER REACTIVATION; AND

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

8 (c) FOR EACH DRIVER AFFECTED BY A DEACTIVATION EVENT
9 LISTED IN SUBSECTION (9)(a) OR (9)(b) OF THIS SECTION, THE DRIVER'S
10 DEMOGRAPHIC INFORMATION, WHEN AVAILABLE, INCLUDING GENDER AND
11 GENDER IDENTITY AND THE DEFAULT LANGUAGE THE DRIVER HAS
12 SELECTED IN THE TNC'S DIGITAL PLATFORM;

13 (d) (I) FOR A SAMPLE SIZE OF ONE THOUSANDTH OF THE
14 TRANSPORTATION TASKS FOR WHICH A TNC DISPATCHES A DRIVER, OR AN
15 AMOUNT LESS AS AUTHORIZED BY THE DIRECTOR BY RULE, AND PURSUANT
16 TO A REPRESENTATIVE AND REPRODUCIBLE SAMPLING METHODOLOGY
17 DETERMINED AND DESIGNED BY THE DIRECTOR AND IN CONSULTATION
18 WITH THE TNCs:

19 (A) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL
20 IDENTIFIER ASSOCIATED WITH THE DRIVER;

21 (B) WHETHER THE RIDE WAS CANCELED AND, IF SO, BY WHOM;

22 (C) THE TOTAL MILEAGE DRIVEN DURING DISPATCH PLATFORM
23 TIME;

24 (D) THE TOTAL MILEAGE DRIVEN DURING CONSUMER PLATFORM
25 TIME;

26 (E) THE STARTING AND ENDING ZIP CODE FOR THE
27 TRANSPORTATION TASK;

1 (F) THE TOTAL DISPATCH PLATFORM TIME;

2 (G) WHETHER THE RIDE CONTRIBUTED TO DRIVER COMPLETION OF
3 A QUEST OR INCENTIVE THAT LED TO BONUS COMPENSATION NOT TIED
4 EXCLUSIVELY TO THE INDIVIDUAL TRANSPORTATION TASK;

5 (H) THE TIME OF DAY OR NIGHT THAT THE TRANSPORTATION TASK
6 BEGAN;

7 (I) THE TOTAL CONSUMER PLATFORM TIME;

8 (J) THE TOTAL AMOUNT THAT THE CONSUMER PAID FOR THE
9 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF ANY
10 TIP; AND

11 (K) THE TOTAL AMOUNT THAT THE DRIVER RECEIVED FOR THE
12 TRANSPORTATION TASK, DISAGGREGATED TO SHOW THE AMOUNT OF THE
13 TIP, IF ANY, AND THE AMOUNT OF ANY PASS-THROUGHS FOR TOLLS OR
14 OTHER ITEMS SPECIFIC TO THE TRANSPORTATION TASK.

15 (II) TO ENSURE THE RELIABILITY OF A TNC'S SAMPLING PROCESS
16 USED PURSUANT TO THIS SUBSECTION (9)(d) AND THE TNC'S COMPLIANCE
17 WITH THE SAMPLING PROCESS, THE DIRECTOR MAY AUDIT THE TNC'S
18 SAMPLING PROCESS BY REQUIRING THE TNC TO PROVIDE THE DIRECTOR
19 THE TOTAL NUMBER OF DISPATCHED TRANSPORTATION TASKS MADE
20 DURING THE RELEVANT SEMIANNUAL PERIOD.

21 (e) FOR EACH DRIVER WHO WAS ACTIVATED OR LOGGED IN TO THE
22 TNC'S DIGITAL PLATFORM DURING THE REPORTING PERIOD:

23 (I) THE DRIVER'S LICENSE NUMBER OR OTHER UNIQUE NUMERICAL
24 IDENTIFIER ASSOCIATED WITH THE DRIVER;

25 (II) THE TOTAL TIME THE DRIVER SPENT DURING THE REPORTING
26 PERIOD ON:

27 (A) DISPATCH PLATFORM TIME; AND

- 1 (B) CONSUMER PLATFORM TIME;
- 2 (III) THE TOTAL MILES DRIVEN DURING THE REPORTING PERIOD
- 3 WHILE THE DRIVER WAS ON;
- 4 (A) AVAILABLE PLATFORM TIME;
- 5 (B) DISPATCH PLATFORM TIME; AND
- 6 (C) CONSUMER PLATFORM TIME; AND
- 7 (IV) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER BY THE
- 8 TNC DURING THE REPORTING PERIOD, DISAGGREGATED TO SHOW:
- 9 (A) THE AMOUNT OF TIPS;
- 10 (B) THE AMOUNT OF PASS-THROUGHS;
- 11 (C) THE AMOUNT OF BONUS OR INCENTIVE COMPENSATION;
- 12 (D) THE AMOUNT OF COMPENSATION ASSOCIATED WITH
- 13 INDIVIDUAL TRANSPORTATION TASKS, EXCLUDING AMOUNTS DISCLOSED
- 14 IN SUBSECTIONS (9)(e)(IV)(A) TO (9)(e)(IV)(C) OF THIS SECTION; AND
- 15 (E) ANY OTHER AMOUNTS PAID TO THE DRIVER DURING THE
- 16 REPORTING PERIOD.

17 **(10) Public availability of TNC semiannual disclosures. THE**

18 INFORMATION THAT A TRANSPORTATION NETWORK COMPANY PROVIDES

19 THROUGH SEMIANNUAL DISCLOSURES IN ACCORDANCE WITH SUBSECTION

20 (9) OF THIS SECTION TO THE DIVISION IS A PUBLIC RECORD, AS DEFINED IN

21 SECTION 24-72-202 (6). PRIOR TO ANY DISCLOSURE OF THE INFORMATION

22 PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE

23 72 OF TITLE 24, THE DIVISION SHALL:

- 24 (a) GIVE NOTICE TO THE TNC THAT PROVIDED THE DISCLOSURE
- 25 AND AFFORD THE TNC AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE;
- 26 AND
- 27 (b) REDACT THE INFORMATION TO PROTECT DRIVERS' IDENTITIES

1 AND PRIVACY.

2 (11) Transparency for drivers and consumers. (a) ON AND
3 AFTER FEBRUARY 1, 2025, AT THE TIME OF OFFERING A TRANSPORTATION
4 TASK TO A DRIVER FOR ACCEPTANCE, A TRANSPORTATION NETWORK
5 COMPANY SHALL ELECTRONICALLY DISCLOSE TO THE DRIVER:

6 (I) THE DISTANCE AND CARDINAL OR INTERCARDINAL DIRECTION
7 FROM THE DRIVER'S LOCATION TO THE CONSUMER'S OR RIDER'S
8 DESTINATION. FOR SHARED RIDES, THE RELEVANT DESTINATION IS THE
9 DESTINATION OF THE LAST CONSUMER OR RIDER THAT THE DRIVER DROPS
10 OFF, WHEN AVAILABLE.

11 (II) BEFORE ANY TIP IS ADDED, THE TOTAL AMOUNT OF MONEY
12 THAT THE TNC WILL PAY THE DRIVER FOR THE TRANSPORTATION TASK,
13 EXCLUDING ANY PASS-THROUGHS;

14 (III) THE AGGREGATE ESTIMATED MILEAGE THAT THE DRIVER WILL
15 DRIVE DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
16 FOR THE TRANSPORTATION TASK;

17 (IV) THE AGGREGATE ESTIMATED TIME THAT THE DRIVER WILL
18 SPEND DURING DISPATCH PLATFORM TIME AND CONSUMER PLATFORM TIME
19 DURING THE TRANSPORTATION TASK; AND

20 (V) IF THE CONSUMER HAS ALREADY INDICATED A TIP AMOUNT,
21 THE AMOUNT OF THE TIP.

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

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

27 (II) THE TOTAL AMOUNT OF MONEY PAID TO THE DRIVER FOR THE

1 TRANSPORTATION TASK BEFORE ANY TIP WAS ADDED, EXCLUDING
2 PASS-THROUGHS, IF ANY; AND

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

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

9 (d) AS SOON AS THE INFORMATION IS AVAILABLE TO A TNC, AND
10 BEFORE THE TNC OFFERS A CONSUMER THE OPTION TO TIP THE DRIVER,
11 THE TNC SHALL ELECTRONICALLY DISCLOSE TO THE CONSUMER ON A
12 SINGLE SCREEN ON THE DIGITAL PLATFORM:

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

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

18 (e) THE INFORMATION DISCLOSED TO DRIVERS AND CONSUMERS
19 PURSUANT TO SUBSECTIONS (11)(b) TO (11)(d) OF THIS SECTION MUST BE:

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

22 (II) IN A FONT THAT IS LARGER THAN THE FONT USED TO PRESENT
23 ANY OTHER INFORMATION ON THE SCREEN OR IN THE E-MAIL; AND

24 (III) PRESENTED USING DESIGN TECHNIQUES INTENDED TO DRAW
25 THE EYE TO THE INFORMATION.

26 (f) A TNC SHALL DISCLOSE TO EACH DRIVER WHO ACTIVATED THE
27 TNC'S DIGITAL PLATFORM DURING THE PREVIOUS MONTH VIA E-MAIL OR

1 OTHER MECHANISM THAT REMAINS ACCESSIBLE TO THE DRIVER FOR AT
2 LEAST ONE YEAR THE FOLLOWING INFORMATION REGARDING THE DRIVER
3 FOR THE PREVIOUS MONTH OR PREVIOUS REPORTING PERIOD IF THE TNC
4 REGULARLY PROVIDES THE DISCLOSURES REQUIRED UNDER THIS
5 SUBSECTION (11)(f) MORE FREQUENTLY THAN MONTHLY:

- 6 (I) DRIVER PAY BEFORE EXPENSES;
- 7 (II) DRIVER TIPS BEFORE EXPENSES;
- 8 (III) THE TOTAL TIME THAT THE DRIVER SPENT ON:
 - 9 (A) AVAILABLE PLATFORM TIME;
 - 10 (B) DISPATCH PLATFORM TIME; AND
 - 11 (C) CONSUMER PLATFORM TIME;
- 12 (IV) THE TOTAL MILES THAT THE DRIVER DROVE DURING THE
13 DRIVER'S:

- 14 (A) AVAILABLE PLATFORM TIME;
- 15 (B) DISPATCH PLATFORM TIME; AND
- 16 (C) CONSUMER PLATFORM TIME; AND
- 17 (V) THE TOTAL AMOUNT THE DRIVER MAY BE ENTITLED TO
18 DEDUCT FROM INCOME CALCULATED USING THE IRS BUSINESS MILEAGE
19 DEDUCTION RATE FOR ALL MILES KNOWN TO THE TNC TO HAVE BEEN
20 DRIVEN DURING THE DRIVER'S:

- 21 (A) AVAILABLE PLATFORM TIME;
- 22 (B) DISPATCH PLATFORM TIME; AND
- 23 (C) CONSUMER PLATFORM TIME.

24 **(12) Driver acceptance or rejection of a transportation task.**

25 ON AND AFTER FEBRUARY 1, 2025, A TRANSPORTATION NETWORK
26 COMPANY SHALL NOT SUSPEND, DEACTIVATE, OR RETALIATE AGAINST A
27 DRIVER BASED ON THE DRIVER'S LAWFUL ACCEPTANCE OR REJECTION OF

1 ONE OR MORE TRANSPORTATION TASKS BY HAMPERING DRIVER ACCESS TO:

2 (a) DRIVER SUPPORT;

3 (b) RIDE OFFERS; OR

4 (c) DESTINATION OR AREA PREFERENCES.

5 (13) Penalties, fines, and enforcement. (a) IF A
6 TRANSPORTATION NETWORK COMPANY VIOLATES THIS SECTION, THE TNC
7 MAY BE SUBJECT TO:

8 (I) MONETARY DAMAGES IN THE AMOUNT OF ONE THOUSAND
9 DOLLARS, AS DETERMINED BY THE DIRECTOR OR BY A COURT IN A CIVIL
10 ACTION BROUGHT PURSUANT TO SUBSECTION (13)(d) OF THIS SECTION, ON
11 A PER-CONSUMER OR PER-DRIVER BASIS, WHICH AMOUNT THE TNC SHALL
12 PAY TO THE CONSUMER OR DRIVER AFFECTED BY THE VIOLATION;

13 (II) A FINE OF ONE HUNDRED DOLLARS PER VIOLATION, AS
14 DETERMINED BY THE DIRECTOR ON A PER-CONSUMER OR PER-DRIVER
15 BASIS, WHICH AMOUNT THE TNC SHALL PAY TO THE DIVISION. THE
16 DIVISION SHALL TRANSMIT ALL CIVIL FINES COLLECTED PURSUANT TO THIS
17 SUBSECTION (13)(d)(II) TO THE STATE TREASURER, WHO SHALL CREDIT
18 THE MONEY TO THE GENERAL FUND.

19 (III) INJUNCTIVE RELIEF PURSUANT TO SUBSECTION (13)(d)(II) OF
20 THIS SECTION.

21 (b) THE DIVISION MAY INVESTIGATE ALLEGED VIOLATIONS IN
22 RESPONSE TO COMPLAINTS FILED OR AT THE DIVISION'S DISCRETION.

23 (c) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR DRIVERS
24 AND CONSUMERS TO SUBMIT COMPLAINTS TO THE DIVISION AND FOR THE
25 DIVISION'S INVESTIGATIONS, HEARINGS, AND IMPOSITION OF FINES
26 PURSUANT TO THIS SUBSECTION (13).

27 (d) (I) A PERSON AGGRIEVED BY A TNC'S VIOLATION OF THIS

1 SECTION MAY FILE A CIVIL ACTION AGAINST THE TNC IN THE DISTRICT
2 COURT WHERE:

3 (A) THE PERSON RESIDES;

4 (B) THE VIOLATION OCCURRED; OR

5 (C) THE TNC HAS A PHYSICAL PLACE OF BUSINESS IN THE STATE.

6 (II) (A) THE PERSON FILING THE CIVIL ACTION MAY SEEK
7 INJUNCTIVE RELIEF FROM THE DISTRICT COURT TO COMPEL THE TNC TO
8 COMPLY WITH THIS SECTION OR MAY SEEK MONETARY DAMAGES AS
9 SPECIFIED IN SUBSECTION (13)(a)(I) OF THIS SECTION AND ANY ACTUAL
10 DAMAGES SUSTAINED.

11 (B) IF A PERSON PREVAILS ON ANY CLAIM RAISED IN A CIVIL
12 ACTION BROUGHT AGAINST A TNC UNDER THIS SUBSECTION (13)(d), THE
13 PERSON IS ENTITLED TO RECOVER COSTS AND REASONABLE ATTORNEY
14 FEES.

15 (14) Rules. THE DIRECTOR MAY ADOPT RULES AS NECESSARY TO
16 IMPLEMENT THIS SECTION.

17 (15) Public utilities commission's authority over TNCs.
18 NOTHING IN THIS SECTION NEGATES, LIMITS, ALTERS, OR DISPLACES THE
19 COMMISSION'S AUTHORITY TO REGULATE TRANSPORTATION NETWORK
20 COMPANIES PURSUANT TO PART 6 OF ARTICLE 10.1 OF TITLE 40 OR
21 PREVENTS A DRIVER OR CONSUMER FROM SEEKING ENFORCEMENT BY THE
22 COMMISSION AGAINST AN ALLEGED VIOLATOR OR A REMEDY FOR A
23 VIOLATION OF PART 6 OF ARTICLE 10.1 OF TITLE 40.

24 SECTION 2. Appropriation. For the 2024-25 state fiscal year,
25 \$164,741 is appropriated to the department of labor and employment for
26 use by the division of labor standards and statistics. This appropriation is
27 from the general fund and is based on an assumption that the division will

1 require an additional 1.5 FTE. To implement this act, the division may
2 use this appropriation for program costs related to labor standards.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2024 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.