

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 130

## 99TH GENERAL ASSEMBLY

0590S.07T

2017

---

---

### AN ACT

To repeal sections 67.1809 and 67.1819, RSMo, and to enact in lieu thereof twenty-nine new sections relating to passenger transportation companies, with penalty provisions.

---

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 67.1809 and 67.1819, RSMo, are repealed and twenty-nine new  
2 sections enacted in lieu thereof, to be known as sections 67.1809, 67.1819, 387.400, 387.402,  
3 387.404, 387.406, 387.407, 387.408, 387.410, 387.412, 387.414, 387.416, 387.418, 387.419,  
4 387.420, 387.422, 387.424, 387.425, 387.426, 387.427, 387.428, 387.430, 387.432, 387.433,  
5 387.434, 387.436, 387.438, 387.439, and 387.440, to read as follows:

67.1809. 1. The regional taxicab commission established under section 67.1804 may  
2 license, supervise, and regulate any person who engages in the business of transporting  
3 passengers in commerce, wholly within the regional taxicab district established in section  
4 67.1802, in any motor vehicle designed or used to transport not more than eight passengers,  
5 including the driver. The powers granted to the regional taxicab commission under this section  
6 shall apply to the motor vehicles described in this subsection and to the persons owning or  
7 operating those vehicles:

- 8 (1) Whether or not the vehicles are equipped with a taximeter or use a taximeter; and  
9 (2) Whether the vehicles are operated by a for-hire motor carrier of passengers or by a  
10 private motor carrier of passengers not for hire or compensation.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11           2. This section shall apply, notwithstanding any provisions of this chapter or of  
12 subsection 2 of section 390.126 to the contrary, except that the vehicles described in subsection  
13 1 of this section, and the operators of such vehicles, shall be licensed, supervised, and regulated  
14 by the state highways and transportation commission, as provided under section 226.008, instead  
15 of the regional taxicab commission, whenever:

16           (1) Such motor vehicles transport passengers within the district in interstate commerce,  
17 and those interstate operations are subject to the powers of the state highways and transportation  
18 commission under section 226.008;

19           (2) Such motor vehicles are operated exclusively by a not-for-profit corporation or  
20 governmental entity, whose passenger transportation within the regional taxicab district is  
21 subsidized, wholly or in part, with public transit funding provided by the state highways and  
22 transportation commission, the Federal Transit Administration, or both;

23           (3) Such vehicles transport one or more passengers on the public highways in a  
24 continuous journey from a place of origin within the regional taxicab district to a destination  
25 outside the district, or from a place of origin outside the district to a destination within the  
26 district, either with or without a return trip to the point of origin. Such continuous transportation  
27 of passengers between points within and without the district is subject to regulation by the state  
28 highways and transportation commission, even if the journey includes temporary stops at one or  
29 more intermediate destinations within the boundaries of the district.

30           3. The provisions of subdivision (3) of subsection 2 of this section shall not limit the  
31 powers of the regional taxicab commission under this section to license, supervise, and regulate  
32 the transportation of any passenger whose journey by motor vehicle takes place wholly within  
33 the regional taxicab district, even if transported on the same vehicle with other passengers whose  
34 transportation, both within and without the boundaries of the district, is subject to the exclusive  
35 powers of the state highways and transportation commission. A motor carrier or driver who  
36 transports passengers subject to the powers of the regional taxicab commission, under subsection  
37 1 of this section, on the same vehicle with passengers whose transportation is subject to the  
38 powers of the state highways and transportation commission, under subsection 2 of this section,  
39 shall comply with all applicable requirements of the regional taxicab commission and with all  
40 applicable requirements of the state highways and transportation commission.

41           4. No provision within this chapter shall be interpreted or construed as limiting the  
42 powers of the state highways and transportation commission and its enforcement personnel, the  
43 state highway patrol and its officers and personnel, or any other law enforcement officers or  
44 peace officers to enforce any safety requirements or hazardous materials regulations made  
45 applicable by law to the motor vehicles, drivers, or persons that own or operate any motor  
46 vehicles described in this section.

47           5. Every individual person, partnership, or corporation subject to licensing, regulation,  
48 and supervision by the regional taxicab commission under this section, with reference to any  
49 transportation of passengers by a motor vehicle previously authorized by a certificate or permit  
50 issued by the state highways and transportation commission under section 390.051 or 390.061,  
51 which certificate or permit was in active status and not suspended or revoked on August 27,  
52 2005, according to the records of the state highways and transportation commission, is hereby  
53 deemed to be licensed, permitted, and authorized by the regional taxicab commission, and the  
54 vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted,  
55 and authorized by the regional taxicab commission to operate and engage in the transportation  
56 of passengers within the regional taxicab district, to the same extent as they formerly were  
57 licensed, permitted, and authorized by the highways and transportation commission on August  
58 27, 2005. Such motor carriers, drivers, and vehicles shall be exempted from applying for any  
59 license, certificate, permit, or other credential issued or required by the regional taxicab  
60 commission under sections 67.1800 to 67.1822, except that the regional taxicab commission  
61 may, after December 31, 2005, require such motor carriers and drivers to apply and pay the  
62 regular fees for annual renewals of such licenses, permits, certificates, or other credentials under  
63 uniform requirements applicable to all motor carriers, vehicles, and drivers operating within the  
64 regional taxicab district.

65           **6. Nothing in sections 67.1800 to 67.1822 shall be construed as granting the regional**  
66 **taxicab commission the authority to license, supervise, or regulate medical transportation.**

67.1819. ~~1. The commission with the passage of a taxicab code shall request a Missouri  
2 criminal record review for a prospective or current driver from the central repository by  
3 furnishing information on forms and in the manner approved by the highway patrol.~~

4 ~~——— 2. The prospective or current driver shall submit two sets of fingerprints to the Missouri  
5 state highway patrol, Missouri criminal records repository, for the purpose of checking the  
6 person's criminal history. The first set of fingerprints shall be used to search the Missouri  
7 criminal records repository and the second set shall be submitted to the Federal Bureau of  
8 Investigation to be used for searching the federal criminal history files.~~

9 ~~——— 3. The prospective or current driver shall pay the appropriate fee to the state central  
10 repository payable to the criminal record system fund and pay the appropriate fee determined by  
11 the Federal Bureau of Investigation for the federal criminal history record when applying for or  
12 renewing a license.~~

13 ~~——— 4. Any criminal history information received by the commission pursuant to the  
14 provisions of this section shall be used solely for the internal purposes of the commission in  
15 determining the suitability of the prospective or current driver. The dissemination of criminal  
16 history information from the Federal Bureau of Investigation beyond the authorized or related~~

17 ~~governmental entity is prohibited. All criminal record check information shall be confidential~~  
18 ~~and any person who discloses the information beyond the scope allowed is guilty of a class A~~  
19 ~~misdemeanor.] Notwithstanding any other provision of law, the commission shall establish~~  
20 **in the taxicab code promulgated pursuant to section 67.1812 a criminal background check**  
21 **policy that applies to each prospective and current driver.**

**387.400. As used in sections 387.400 to 387.440 the following terms mean:**

- 2 (1) "Department", the Missouri department of revenue;
- 3 (2) "Digital network", any online-enabled technology application, website, or  
4 system offered or utilized by a transportation network company that enables the  
5 prearrangement of rides with transportation network company drivers;
- 6 (3) "Prearranged ride", the provision of transportation by a TNC driver to a rider,  
7 beginning when a TNC driver accepts a ride requested by a rider through a digital  
8 network controlled by a transportation network company, continuing while the TNC  
9 driver transports a requesting rider, and ending when the last requesting rider departs  
10 from the TNC vehicle. A prearranged ride shall not include:
  - 11 (a) Transportation provided using a taxi, limousine, or other for-hire vehicle under  
12 chapter 390; or
  - 13 (b) A shared expense carpool or vanpool arrangement or service;
  - 14 (4) "Transportation network company" or "TNC", a corporation, partnership, sole  
15 proprietorship, or other entity that is licensed pursuant to sections 387.400 to 387.440 and  
16 operating in the state of Missouri, that uses a digital network to connect TNC riders to  
17 TNC drivers who provide prearranged rides. A TNC shall not be deemed to own, control,  
18 direct, operate, or manage the TNC vehicles or TNC drivers that connect to its digital  
19 network, except where agreed to by written contract;
  - 20 (5) "Transportation network company (TNC) driver" or "driver", an individual  
21 who:
    - 22 (a) Receives connections to potential riders from a transportation network  
23 company in exchange for payment of a fee to the transportation network company; and
    - 24 (b) Uses a TNC vehicle to offer or provide a prearranged ride to riders upon  
25 connection through a digital network controlled by a transportation network company in  
26 return for compensation;
    - 27 (6) "Transportation network company (TNC) rider" or "rider", an individual or  
28 persons who use a TNC's digital network to connect with a TNC driver who provides  
29 prearranged rides to the rider in the TNC driver's TNC vehicle between points chosen by  
30 the rider;

31 (7) "Transportation network company (TNC) vehicle" or "TNC vehicle", a vehicle  
32 that is used by a transportation network company driver and is:

33 (a) Owned, leased, or otherwise authorized for use by the TNC driver; and

34 (b) Not a taxicab, limousine, or for-hire vehicle under chapter 390.

387.402. Notwithstanding any other provision of law, TNCs and TNC drivers shall  
2 not be considered common carriers, contract carriers, or motor carriers, as defined in  
3 section 390.020, a taxicab, as defined in section 390.020, a taxicab service or association,  
4 or a for-hire vehicle service. A TNC driver shall not be required to register the vehicle  
5 such driver uses to provide prearranged rides as a commercial or for-hire vehicle.

387.404. 1. Beginning on August 28, 2017, a person shall not operate a TNC in the  
2 state of Missouri without first having obtained a license from the department.

3 2. The department shall issue a license to each applicant who:

4 (1) Meets the requirements for a TNC set forth in sections 387.400 to 387.440; and

5 (2) Pays an annual license fee of five thousand dollars to the department. This  
6 annual fee shall cover all transportation network company drivers affiliated with the  
7 transportation network company, and no per driver or per vehicle fee shall be assessed.

387.406. A TNC shall maintain an agent for service of process in the state of  
2 Missouri.

387.407. TNCs and TNC drivers shall comply with the provisions of sections  
2 379.1700 to 379.1708.

387.408. On behalf of a TNC driver, a TNC may charge a fare for the services  
2 provided to riders; provided that, if a fare is collected from a rider, the TNC shall disclose  
3 to the rider the fare, or fare structure on its website or on its digital network. If the fare  
4 is based on actual time and distance traveled, the TNC on its website shall also provide  
5 riders with the applicable time and distance rates being charged and the option to receive  
6 an estimated fare before the rider enters the TNC vehicle.

387.410. The TNC's digital network shall display a picture of the TNC driver and  
2 the license plate number of the motor vehicle utilized for providing the prearranged ride  
3 before the rider enters the TNC driver's vehicle.

387.412. Within a reasonable period of time following the completion of a trip, a  
2 TNC shall transmit an electronic receipt to the TNC rider on behalf of the TNC driver that  
3 lists:

4 (1) The origin and destination of the trip;

5 (2) The total time and distance of the trip, if the fare is based on actual time and  
6 distance traveled; and

7 (3) The total fare paid, if any.

2           **387.414. Except as provided in section 387.433, all TNC drivers shall be**  
3 **independent contractors and not employees of the TNC if all of the following conditions**  
4 **are met:**

5           **(1) The TNC does not prescribe specific hours during which a TNC driver must be**  
6 **logged into the TNC's digital network;**

7           **(2) The TNC imposes no restrictions on the TNC driver's ability to utilize digital**  
8 **networks from other TNCs;**

9           **(3) The TNC does not restrict a TNC driver from engaging in any other occupation**  
10 **or business; and**

11           **(4) The TNC and TNC driver agree in writing that the driver is an independent**  
12 **contractor with respect to the TNC.**

13           **387.416. Except when agreed to by written contract, a transportation network**  
14 **company driver is not an agent of a transportation network company.**

1           **387.418. 1. A transportation network company shall implement a zero tolerance**  
2 **intoxicating substance policy for transportation network company drivers that disallows**  
3 **any amount of intoxication of the transportation network company driver while providing**  
4 **transportation network services. The TNC shall provide notice of the zero tolerance policy**  
5 **on its website, as well as procedures to report a complaint about a driver with whom a**  
6 **rider was matched and whom the rider reasonably suspects was under the influence of**  
7 **drugs or alcohol during the course of the trip.**

8           **2. Upon receipt of such rider complaint alleging a violation of the zero tolerance**  
9 **policy, the TNC shall suspend such TNC driver's ability to accept trip requests through the**  
10 **TNC's digital network as soon as possible, and shall conduct an investigation into the**  
11 **reported incident. The suspension shall last the duration of the investigation.**

12           **3. The TNC shall maintain records relevant to the enforcement of this requirement**  
13 **for a period of at least two years from the date that a rider complaint is received by the**  
14 **TNC.**

1           **387.419. A TNC shall, prior to providing a TNC driver with access to the TNC's**  
2 **digital network, notify such driver that he or she may have a contractual obligation to**  
3 **include the TNC as a loss payee on the driver's motor vehicle insurance policy required to**  
4 **be carried under chapter 303. The TNC driver, once notified, shall take any steps**  
5 **necessary to satisfy the requirements of such driver's insurance contract.**

6           **387.420. 1. Before allowing an individual to accept trip requests through a TNC's**  
7 **digital network, the TNC shall:**

3           **(1) Require the individual to register with the TNC by submitting information**  
4 **regarding his or her address, age, driver's license, motor vehicle registration, automobile**  
5 **liability insurance, and other information required by the TNC;**

6           **(2) Conduct, or have a third party conduct, a local and national criminal**  
7 **background check for each applicant that shall include:**

8           **(a) Multi-state/multi-jurisdiction criminal records locator or other similar**  
9 **commercial nationwide database with validation, also known as a primary source search;**  
10 **and**

11           **(b) United States Department of Justice National Sex Offender public website; and**

12           **(c) Obtain and review, or have a third party obtain and review, a driving history**  
13 **research report for such individual.**

14           **2. The TNC shall not permit an individual to act as a TNC driver on its digital**  
15 **network who:**

16           **(a) Has had more than three moving violations in the prior three-year period, or**  
17 **one violation in the prior three-year period resulting in assessment of six or more points**  
18 **pursuant to section 302.302, including, but not limited to driving on a suspended or**  
19 **revoked license;**

20           **(b) Has been convicted, within the past five years, of a first violation of section**  
21 **577.010 or 577.012, a violation of section 304.012, or resisting or interfering with arrest**  
22 **where the conviction results in a class A misdemeanor;**

23           **(c) Has been convicted, within the past seven years, of a second or subsequent**  
24 **violation of section 577.010 or 577.012, fraud, a sexual offense, resisting or interfering with**  
25 **arrest where the conviction results in a class E felony, use of a motor vehicle to commit a**  
26 **felony, an offense involving property damage, theft, an act of violence, or an act of terror;**

27           **(d) Is a match in the United States Department of Justice National Sex Offender**  
28 **public website;**

29           **(e) Does not possess a valid driver's license;**

30           **(f) Does not possess proof of registration for the motor vehicle or vehicles used to**  
31 **provide prearranged rides;**

32           **(g) Does not possess proof of automobile liability insurance for the motor vehicle**  
33 **or vehicles used to provide prearranged rides; or**

34           **(h) Is not at least nineteen years of age.**

35           **3. A TNC driver who is qualified to accept trip requests through a TNC's digital**  
36 **network pursuant to this section shall not be required to obtain any other state or local**  
37 **license or permit to provide prearranged rides.**

2 **387.422. A TNC shall not allow a TNC driver to accept trip requests through the**  
3 **TNC's digital network unless any motor vehicle or vehicles that a TNC driver will use to**  
4 **provide prearranged rides meets the inspection requirements of section 307.350.**

5 **387.424. A TNC driver shall not solicit or accept street hails.**

6 **387.425. All TNCs shall adopt a privacy policy to protect the personal identifying**  
7 **information of TNC riders. The privacy policy shall:**

8 **(1) Include provisions regarding the disclosure of personal identifying information**  
9 **learned through a complaint or during the course of an investigation;**

10 **(2) Be consistent with all applicable state and federal laws; and**

11 **(3) Be submitted to the department as part of the application for a license.**

1 **387.426. 1. A TNC shall adopt a policy of nondiscrimination with respect to riders**  
2 **and potential riders and notify TNC drivers of such policy.**

3 **2. TNC drivers shall comply with all applicable laws regarding nondiscrimination**  
4 **against riders or potential riders.**

5 **3. TNC drivers shall comply with all applicable laws relating to accommodation of**  
6 **service animals.**

7 **4. A TNC shall not impose additional charges for providing services to persons with**  
8 **physical disabilities because of those disabilities.**

9 **387.427. No TNC may discriminate against a TNC driver in a way prohibited by**  
10 **the Missouri Constitution or the Constitution of the United States.**

11 **387.428. A TNC shall maintain the following customer records:**

1 **(1) Individual trip records of riders for at least one year from the date each trip was**  
2 **provided; and**

3 **(2) Individual records of TNC drivers at least until the one year anniversary of the**  
4 **date on which a TNC driver's relationship with the TNC has ended.**

5 **387.430. 1. Notwithstanding any other provision of law, TNCs and TNC drivers**  
6 **are governed exclusively by sections 387.400 to 387.440 and any rules promulgated by the**  
7 **department consistent with sections 387.400 to 387.440. No municipality or other local or**  
8 **state entity may impose a tax on, or require a license for, a TNC, a TNC driver, or a vehicle**  
9 **used by a TNC driver where such tax or license relates to providing prearranged rides, or**  
10 **subject a TNC to the municipality or other local or state entity's rate, entry, operational,**  
11 **or other requirements. Upon the enactment of this section, any municipality or other local**  
12 **entity's ordinance or policy that is inconsistent with sections 387.400 to 387.440 shall be**  
13 **void and shall have no force or effect.**

14 **2. Nothing in this section shall prohibit an income tax imposed by the state or an**  
15 **earnings tax.**

12           **3. The department of revenue may promulgate all necessary rules and regulations**  
13 **for the administration of sections 387.400 to 387.440. Any rule or portion of a rule, as that**  
14 **term is defined in section 536.010 that is created under the authority delegated in sections**  
15 **387.400 to 387.440 shall become effective only if it complies with and is subject to all of the**  
16 **provisions of chapter 536, and, if applicable, section 536.028. Sections 387.400 to 387.440**  
17 **and chapter 536 are nonseverable and if any of the powers vested with the general**  
18 **assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove**  
19 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
20 **authority and any rule proposed or adopted after August 28, 2017, shall be invalid and**  
21 **void.**

22           **4. (1) Subject to subdivision (2) of this subsection, nothing in sections 387.400 to**  
23 **387.440 shall restrict or limit an airport from:**

24           **(a) Charging reasonable fees for the use of the airport or its facilities, provided that**  
25 **the fee is not assessed on a per-passenger basis. Nothing in this section shall prohibit an**  
26 **airport from charging reasonable pickup or dropoff fees; or**

27           **(b) Establishing operating procedures regarding staging, the dropping-off or**  
28 **picking-up of passengers at the airport, or use of airport facilities.**

29           **(2) An airport shall not impose any regulatory or licensing requirement that is**  
30 **additional to or inconsistent with the requirements described in sections 387.400 to**  
31 **387.440, including requirements for background checks or trade dress. A TNC shall enter**  
32 **into an agreement with, or otherwise obtain authorization from, an airport prior to**  
33 **allowing TNC drivers to pick up passengers at the airport.**

**387.432. Except as described in section 387.433, transportation network companies**  
2 **shall not be considered employers of transportation network company drivers for purposes**  
3 **of chapters 285, 287, 288, and 290, except when agreed to by written contract. If the**  
4 **parties agree to the applicability of one or more of such chapters in a written contract, the**  
5 **transportation network company shall notify the appropriate agency of the election to**  
6 **cover the driver. If the parties subsequently change this election, the transportation**  
7 **network company shall notify the appropriate agency of the change.**

**387.433. The provisions of sections 387.414 and 387.432 shall not apply to entities**  
2 **described in section 501(c)(3) of the Internal Revenue Code, state or local government**  
3 **entities, or federally recognized Indian tribes.**

**387.434. Notwithstanding any other provision of law, sections 67.1800 to 67.1822**  
2 **shall not apply to transportation network companies, transportation network drivers, or**  
3 **transportation network services.**

**387.436. 1. Upon receipt of information that a TNC driver has been convicted of a violation of section 577.010 or 577.012, fraud, a sexual offense, use of a motor vehicle to commit a felony, an offense involving property damage, theft, an act of violence, or an act of terror, or no longer maintains the minimum motor vehicle financial responsibility required to be carried under chapter 303, a TNC shall immediately revoke such driver's ability to accept trip requests through the TNC's digital platform, and as soon as practicable, notify the department of the TNC driver's name, license number, and license plate number.**

**2. Upon receipt of information that a TNC driver has been involved in a traffic accident or incident that results in serious bodily injury or a fatality, a TNC shall notify the department of the driver's name, license number, and license plate number.**

**3. The department shall develop and implement a process to provide any information received under subsections 1 and 2 of this section to all other TNCs licensed in this state.**

**4. Notwithstanding any other provision of law, any information provided to the department under this section shall be exempt from disclosure under chapter 610.**

**387.438. 1. Notwithstanding any other provision of law, the department shall not require an individual who uses a motor vehicle with a gross vehicle weight that is less than or equal to twelve thousand pounds for the purpose of providing transportation services as a TNC driver or taxicab driver, or for the purpose of providing food delivery services, as defined in subsection 2 of this section, to obtain any license other than a class F license, as described in Missouri code of state regulations section 10-24.200(6).**

**2. As used in this section, "food delivery services" shall mean the delivery of prepared food, as defined in section 192.081, by an individual, including a fast food restaurant, delicatessen, or other facility that is engaged in the selling of food for consumption off the premises of the facility.**

**3. The department shall promulgate or amend any regulations of the department necessary to implement this section as soon as practicable after the effective date of this section.**

**387.439. 1. (1) A TNC shall not deny or manipulate access to its digital network or engage in any deceptive, manipulative, or coordinated practice to evade a law enforcement entity, including by canceling a ride request by a rider or prospective rider relating to association with a law enforcement entity.**

**(2) A first violation of this subsection shall be punishable by a fine of fifty thousand dollars. A second violation of this subsection shall be punishable by a fine of one hundred**

7 fifty thousand dollars. A third or subsequent violation of this subsection shall be  
8 punishable by a fine of three hundred thousand dollars.

9       2. A TNC shall not produce or operate, or allow to be produced or operated, any  
10 digital network or similar technology that falsely displays the number of TNC vehicles  
11 available to provide prearranged rides for the purpose of misleading riders or potential  
12 riders about the number of TNC vehicles available to provide such rides.

13       3. A TNC shall not use geographic location or geolocation data of a rider or  
14 prospective rider for the purpose of excluding certain areas on the basis of the income,  
15 racial, or ethnic composition of such area.

16       4. A violation of this section shall be punishable by a one month suspension of the  
17 TNC's license.

387.440. 1. For the sole purpose of verifying that a TNC is in compliance with the  
2 requirements of sections 387.400 to 387.440, and no more than twice per calendar year, any  
3 home rule city with more than four hundred thousand inhabitants and located in more  
4 than one county, and the regional taxicab commission established pursuant to section  
5 67.1804, shall have the right to inspect a sample of up to ten records that the TNC is  
6 required to maintain. The sample shall be chosen from an anonymous list provided by the  
7 TNC to an appropriately designated municipal official or to the executive director of the  
8 regional taxicab commission, as applicable, and in a manner agreeable to both parties.  
9 After selecting the sample of ten unique records from the anonymous list, the TNC shall  
10 provide sufficient identifying account details so that the municipal official or executive  
11 director can conduct an audit to determine the TNC's compliance with existing regulations.  
12 The audit shall take place at a mutually agreed location in Missouri.

13       2. Any home rule city with more than four hundred thousand inhabitants and  
14 located in more than one county, and the regional taxicab commission, may charge each  
15 TNC up to five thousand dollars per year to cover the costs incurred for the review of the  
16 records. The amount collected shall not exceed the costs of compliance.

17       3. In response to a specific complaint alleging criminal allegations against any TNC  
18 driver or TNC, any home rule city with more than four hundred thousand inhabitants and  
19 located in more than one county, and the regional taxicab commission, is authorized to  
20 inspect records held by the TNC that are necessary to investigate and resolve the specific  
21 complaint. The TNC and the investigative agency shall endeavor to have the inspection  
22 take place at a mutually agreed location in Missouri. Any records furnished may exclude  
23 information that would identify specific drivers or riders, unless the identity of a driver or  
24 rider is relevant to the complaint.

25           **4. Any records inspected under this section are designated confidential, are not**  
26 **subject to disclosure to a third party without prior written consent of the TNC, and are**  
27 **exempt from disclosure under chapter 610. Nothing in this section shall be construed as**  
28 **limiting the applicability of any other exemptions under chapter 610.**

29           **5. Any home rule city with more than four hundred thousand inhabitants and**  
30 **located in more than one county, and the regional taxicab commission, may fine a TNC up**  
31 **to five hundred dollars per violation discovered during this audit for failure to comply with**  
32 **the applicable provisions of sections 387.400 to 387.440. Each TNC shall remit payment**  
33 **of any fine to the department, which shall also have jurisdiction over appeals of such fines.**  
34 **Nothing in this provision shall limit the rights of TNCs to seek redress in a court of law.**

✓