

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0385.01 Jennifer Berman x3286

HOUSE BILL 26-1043

HOUSE SPONSORSHIP

Rydin,

SENATE SPONSORSHIP

(None),

House Committees

Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ADDRESS DISCRIMINATORY CONDUCT**
102 **ENGAGED IN BY TRANSPORTATION NETWORK COMPANY DRIVERS**
103 **IN PROVIDING SERVICES TO RIDERS.**

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>.)

Under current law, the public utilities commission (commission) may assess a civil penalty in an amount up to \$550 against a transportation network company (TNC) if the TNC had written notice of a TNC driver's violation of certain prohibitions against discriminating against riders and the TNC failed to reasonably address the violation.

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.

Additionally, a driver is required to report to the TNC any refusal by the driver to provide services to a rider, and the TNC is required to annually report all such refusals to the commission.

The bill removes the condition that a TNC first have written notice of a driver's violation of the discriminatory prohibitions before a civil penalty may be assessed against the TNC and increases the maximum civil penalty to \$5,000. The bill also requires:

- A TNC to provide monthly, rather than annual, reporting to the commission regarding drivers' refusal to provide services;
- A TNC to provide a mechanism to allow a consumer to report a driver's refusal to provide transport to the consumer directly on the TNC's digital platform, which information must be included in the TNC's monthly report; and
- The commission to anonymize the TNCs' monthly reports and make the anonymized reports available to the public.

The commission may assess a civil penalty in an amount up to \$5,000 for a TNC's failure to comply with the reporting requirements.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-10.1-605, **amend**
3 (7) and (9) as follows:

4 **40-10.1-605. Operational requirements - rules.**

5 (7) (a) ~~A transportation network company is not liable for a~~
6 ~~driver's violation of subsection (6) of this section unless the driver's~~
7 ~~violation has been previously reported to the transportation network~~
8 ~~company in writing, and the transportation network company has failed~~
9 ~~to reasonably address the alleged violation. The commission shall afford~~
10 ~~a transportation network company the same due process rights afforded~~
11 ~~transportation providers in defending against civil penalties assessed by~~
12 ~~the commission.~~

13 (b) The commission may assess a civil penalty ~~IN AN AMOUNT~~ up
14 to ~~five hundred fifty~~ THOUSAND dollars ~~under this subsection (7)~~ FOR A

1 TRANSPORTATION NETWORK COMPANY'S VIOLATION OF SUBSECTION (6) OR
2 (9) OF THIS SECTION.

3 (9) (a) A driver shall immediately report to the transportation
4 network company any refusal to transport a passenger pursuant to
5 ~~paragraph (a) of subsection (6)~~ SUBSECTION (6)(a) of this section, and the
6 transportation network company shall ~~annually~~ report all such refusals to
7 the commission ON A MONTHLY BASIS in a form and manner determined
8 by the commission.

9 (b) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE A
10 MECHANISM TO ALLOW A CONSUMER TO REPORT DIRECTLY ON THE
11 TRANSPORTATION NETWORK COMPANY'S DIGITAL PLATFORM A DRIVER'S
12 REFUSAL TO TRANSPORT THE CONSUMER IN VIOLATION OF SUBSECTION
13 (6)(a) OF THIS SECTION. THE REPORTING MECHANISM MUST BE ACCESSIBLE
14 AND CONSPICUOUSLY LOCATED ON THE DIGITAL PLATFORM. THE
15 TRANSPORTATION NETWORK COMPANY SHALL INCLUDE ANY CONSUMER
16 REPORTS RECEIVED PURSUANT TO THIS SUBSECTION (9)(b) IN THE
17 TRANSPORTATION NETWORK COMPANY'S MONTHLY REPORTS SUBMITTED
18 PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION.

19 (c) THE COMMISSION SHALL ANONYMIZE THE DATA INCLUDED IN
20 THE MONTHLY REPORTS AND MAKE THE ANONYMIZED REPORTS AVAILABLE
21 TO THE PUBLIC.

22 **SECTION 2. Act subject to petition - effective date -**
23 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
24 the expiration of the ninety-day period after final adjournment of the
25 general assembly (August 12, 2026, if adjournment sine die is on May 13,
26 2026); except that, if a referendum petition is filed pursuant to section 1
27 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part
2 will not take effect unless approved by the people at the general election
3 to be held in November 2026 and, in such case, will take effect on the
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to conduct occurring on or after the applicable
6 effective date of this act.