

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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