

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 23, 2024
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB24-075 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Business, Labor, and Technology Committee Report, dated
2 February 20, 2024, page 2, after line 24 insert:

3 "(j) (I) "DRIVER SUPPORT ORGANIZATION" OR "ORGANIZATION"
4 MEANS A MEMBERSHIP-BASED AND MEMBER-LED NONPROFIT OR LABOR
5 ORGANIZATION:

6 (A) WITH A PRINCIPAL PURPOSE TO SUPPORT DRIVERS AND THAT
7 HAS CONSISTENTLY OPERATED IN COLORADO FOR AT LEAST FOUR YEARS
8 WITH THAT PURPOSE;

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

11 (C) THAT IS NOT AFFILIATED WITH ANY OTHER ENTITY THAT IS
12 FUNDED, DIRECTLY OR INDIRECTLY, EXCESSIVELY INFLUENCED, OR
13 CONTROLLED BY A TNC.

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

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

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

20 Reletter succeeding paragraphs accordingly.

21 Page 3, line 12, strike "A STATE" and substitute "THE STATE".

22 Page 3, strike line 19 and substitute "FORTHIN SUBSECTIONS (1)(q)(I) AND
23 (1)(q)(II) OF THIS SECTION AND".

1 Page 4, line 23, strike "DESCRIBE" and substitute "CONSISTENT WITH
2 SUBSECTION (5) OF THIS SECTION, DESCRIBE".

3 Page 4, line 24, after "DECISION" insert "CONSISTENT WITH THE
4 REQUIREMENTS OF SUBSECTION (4) OF THIS SECTION".

5 Page 5, after line 15 insert:

6 **"(4) Deactivation - notice.** (a) WITHIN TWENTY-FOUR HOURS
7 AFTER A TNC SUSPENDS A DRIVER, THE TNC SHALL PROVIDE A WRITTEN
8 DISCLOSURE TO THE DRIVER IN THE DEFAULT LANGUAGE THAT THE DRIVER
9 HAS SELECTED IN THE TNC'S DIGITAL PLATFORM. THE WRITTEN
10 DISCLOSURE MUST DESCRIBE THE BASIS FOR THE SUSPENSION AND
11 PROVIDE:

12 (I) SUFFICIENT INFORMATION FOR THE DRIVER TO REASONABLY
13 UNDERSTAND THE REASONS FOR THE SUSPENSION; AND

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

17 (b) WITHIN TWENTY-FOUR HOURS AFTER A TNC DEACTIVATES A
18 DRIVER, THE TNC SHALL PROVIDE A WRITTEN DISCLOSURE TO THE DRIVER
19 IN THE DEFAULT LANGUAGE THAT THE DRIVER HAS SELECTED IN THE
20 TNC'S DIGITAL PLATFORM. THE WRITTEN DISCLOSURE MUST DESCRIBE THE
21 BASIS FOR THE DEACTIVATION AND PROVIDE:

22 (I) SUFFICIENT INFORMATION FOR THE DRIVER TO REASONABLY
23 UNDERSTAND THE REASONS FOR THE DEACTIVATION;

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

27 (III) A STATEMENT OF THE DRIVER'S RIGHT TO CHALLENGE THE
28 DEACTIVATION THROUGH THE TNC'S INTERNAL DEACTIVATION REVIEW
29 PROCESS OUTLINED IN SUBSECTION (5)(a) OF THIS SECTION AND A LINK TO
30 A DESCRIPTION OF THAT INTERNAL PROCESS; AND

31 (IV) THE AVAILABILITY OF DRIVER SUPPORT SERVICES AT THE
32 DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT TO SUBSECTION
33 (6)(a) OF THIS SECTION, A NOTICE THAT THE CERTIFIED DRIVER SUPPORT
34 ORGANIZATION IS INDEPENDENT OF ANY TNC, AND CONTACT
35 INFORMATION FOR THE CERTIFIED DRIVER SUPPORT ORGANIZATION.

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

40 **(5) Deactivation - internal process - reconsideration -**

1 **investigations - reports.** (a) A DRIVER WHO HAS BEEN DEACTIVATED
2 MAY, WITHIN THIRTY CALENDAR DAYS AFTER RECEIVING A WRITTEN
3 NOTICE OF DEACTIVATION PURSUANT TO SUBSECTION (4)(b) OF THIS
4 SECTION, CHALLENGE THE DEACTIVATION WITH THE TNC PURSUANT TO
5 THE TNC'S INTERNAL DEACTIVATION REVIEW PROCESS.

6 (b) A TNC SHALL CONDUCT AN INTERNAL DEACTIVATION
7 RECONSIDERATION OF A CHALLENGED DEACTIVATION WITHIN FOURTEEN
8 CALENDAR DAYS AFTER THE DRIVER MAKES THE WRITTEN REQUEST FOR
9 DEACTIVATION RECONSIDERATION; EXCEPT THAT THE TNC MAY NOTIFY
10 THE DRIVER IN WRITING OF A CONTINUANCE OF THE DEACTIVATION
11 RECONSIDERATION IF THE DRIVER HAS NOT PROVIDED SUFFICIENT
12 EVIDENCE OR DOCUMENTATION FOR CONSIDERATION BY THE TNC OR IF
13 CIRCUMSTANCES OUTSIDE OF THE TNC'S CONTROL REQUIRE ADDITIONAL
14 TIME TO RECONSIDER THE CHALLENGED DEACTIVATION.

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

16 (I) REQUIRE CONSIDERATION OF ALL RELEVANT, AVAILABLE
17 INFORMATION;

18 (II) BE CONDUCTED IN GOOD FAITH; AND

19 (III) APPLY EVENHANDEDLY THE TNC'S DEACTIVATION POLICY,
20 CONSISTENT WITH THE TNC'S INTEREST IN SAFE AND EFFICIENT
21 OPERATIONS.

22 (d) THE TNC'S RESOLUTION OF A DRIVER'S CHALLENGE TO A
23 DEACTIVATION MUST INCLUDE A WRITTEN STATEMENT THAT THE TNC
24 SENDS THE DRIVER THROUGH THE TNC'S DIGITAL PLATFORM AND VIA
25 E-MAIL OR OTHER MECHANISM THAT THE TNC REASONABLY EXPECTS WILL
26 REMAIN ACCESSIBLE TO THE DRIVER FOR AT LEAST ONE YEAR. THE
27 WRITTEN STATEMENT MUST INCLUDE:

28 (I) A DETERMINATION AFFIRMING DEACTIVATION AND INCLUDING:

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

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

32 (C) INFORMATION ABOUT THE DRIVER'S RIGHT TO SEEK SERVICES
33 FROM THE DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT TO
34 SUBSECTION (6)(a) OF THIS SECTION AND SPECIFIC INSTRUCTIONS ON HOW
35 TO CONTACT THE CERTIFIED DRIVER SUPPORT ORGANIZATION, INCLUDING
36 E-MAIL AND TELEPHONE CONTACT INFORMATION; OR

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

42 (6) **Driver support organization - application - certification -**
43 **budget - TNC payments - division oversight - rules.** (a) **Certification**

1 **of driver support organizations and quarterly budgets. (I) BEGINNING**
2 JANUARY 1, 2025, UNTIL MARCH 31, 2025, THE DIVISION SHALL ACCEPT
3 APPLICATIONS FOR CERTIFICATION FROM ELIGIBLE DRIVER SUPPORT
4 ORGANIZATIONS AND SHALL CERTIFY A SINGLE DRIVER SUPPORT
5 ORGANIZATION FOR THE THREE-YEAR PERIOD BEGINNING OCTOBER 1,
6 2025, THROUGH SEPTEMBER 30, 2028. THE DIVISION SHALL CERTIFY A
7 SINGLE DRIVER SUPPORT ORGANIZATION FOR EACH SUBSEQUENT
8 THREE-YEAR PERIOD AND SHALL BEGIN ACCEPTING APPLICATIONS FOR THE
9 SECOND THREE-YEAR PERIOD IN JANUARY 2028.

10 (II) (A) A DRIVER SUPPORT ORGANIZATION APPLYING FOR
11 CERTIFICATION FROM THE DIVISION SHALL SUBMIT FOR REVIEW BY THE
12 DIVISION A PROPOSED ANNUAL BUDGET. THE DRIVER SUPPORT
13 ORGANIZATION CERTIFIED BY THE DIVISION SHALL ALSO SUBMIT FOR
14 REVIEW BY THE DIVISION A PROPOSED ANNUAL BUDGET FOR EACH YEAR OF
15 THE ORGANIZATION'S THREE-YEAR CERTIFICATION CYCLE.

16 (B) A DRIVER SUPPORT ORGANIZATION'S PROPOSED ANNUAL
17 BUDGET SUBMITTED PURSUANT TO SUBSECTION (6)(a)(II)(A) OF THIS
18 SECTION MAY BE USED ONLY FOR EDUCATING TNC DRIVERS AND
19 SUPPORTING DRIVERS REGARDING DEACTIVATIONS IN ACCORDANCE WITH
20 SUCH ORGANIZATION'S AUTHORITY AND RESPONSIBILITIES SET FORTH IN
21 SUBSECTION (6)(b) OF THIS SECTION.

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

27 (III) IN CONSIDERING WHETHER AN ORGANIZATION IS A DRIVER
28 SUPPORT ORGANIZATION AS DEFINED IN SUBSECTION (1)(j) OF THIS
29 SECTION, WHETHER THE ORGANIZATION QUALIFIES FOR CERTIFICATION,
30 AND WHETHER TO APPROVE THE ORGANIZATION'S PROPOSED ANNUAL
31 BUDGET, THE DIVISION:

32 (A) SHALL CONSIDER EVIDENCE SUBMITTED BY THE
33 ORGANIZATION AND ANY EVIDENCE SUBMITTED BY THE PUBLIC,
34 INCLUDING ANY EVIDENCE SUBMITTED BY OTHER DRIVER SUPPORT
35 ORGANIZATIONS; AND

36 (B) MAY REQUEST FROM THE ORGANIZATION OR FROM ANY TNC
37 THE NUMBER OF DRIVERS THAT THE ORGANIZATION SERVED IN THE STATE
38 IN THE PREVIOUS YEAR AND WHETHER THE DRIVER SUPPORT
39 ORGANIZATION HAS, DIRECTLY OR INDIRECTLY, RECEIVED SUPPORT FROM
40 A TNC.

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

1 (V) THE DIVISION SHALL POST EACH DRIVER SUPPORT
2 ORGANIZATION'S CERTIFICATION APPLICATION AND PROPOSED ANNUAL
3 BUDGET ON THE DIVISION'S WEBSITE. THE DIVISION SHALL NOT CERTIFY AN
4 ORGANIZATION OR APPROVE A PROPOSED ANNUAL BUDGET UNTIL AT
5 LEAST THIRTY DAYS AFTER THE DIVISION HAS POSTED THE APPLICATION OR
6 PROPOSED BUDGET.

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

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

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

26 (IX) EVERY SIX MONTHS DURING A DRIVER SUPPORT
27 ORGANIZATION'S CERTIFICATION PERIOD, THE ORGANIZATION SHALL
28 CERTIFY TO THE DIVISION THAT THE ORGANIZATION CONTINUES TO
29 COMPLY WITH THE REQUIREMENTS OF THIS SECTION. TO DEMONSTRATE ITS
30 CONTINUED COMPLIANCE, THE ORGANIZATION SHALL SUBMIT TO THE
31 DIVISION DOCUMENTATION AND INFORMATION REGARDING THE NUMBER
32 OF DRIVERS THAT THE ORGANIZATION SERVES AND THE EXTENT OF ITS
33 SERVICES. THE ORGANIZATION SHALL NOT SUBMIT TO THE DIVISION A LIST
34 OF MEMBERS OR DRIVERS SERVED.

35 (X) THE DIVISION MAY REVOKE A DRIVER SUPPORT
36 ORGANIZATION'S CERTIFICATION OR ALTER OR REVOKE THE DIVISION'S
37 APPROVAL OF THE CERTIFIED ORGANIZATION'S BUDGET AT ANY TIME IF
38 CLEAR AND CONVINCING EVIDENCE DEMONSTRATES THAT THE
39 ORGANIZATION:

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

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

43 (XI) IF A TNC ELECTS TO DESCRIBE THE PER-TRIP AMOUNT

1 ALLOCATED TO THE DRIVER SUPPORT ORGANIZATION ANNUAL BUDGET ON
2 A CONSUMER RECEIPT, THE TNC MAY ONLY INDICATE THAT THE
3 DEDUCTION WILL BE USED IN PART TO SUPPORT THE STATE'S CERTIFIED
4 DRIVER SUPPORT ORGANIZATION.

5 (XII) FOLLOWING THE COMPLETION OF EACH THREE-YEAR
6 CERTIFICATION PERIOD, THE DIVISION MAY INCREASE THE PER-TRIP FEE
7 THAT A TNC IS REQUIRED TO PAY PURSUANT TO SUBSECTION
8 (6)(a)(VI)(A) OF THIS SECTION IF THE DIVISION DETERMINES THAT THE
9 INCREASE IS NECESSARY TO COVER THE CERTIFIED DRIVER SUPPORT
10 ORGANIZATION'S COSTS AND THE INCREASE DOES NOT EXCEED THE RATE
11 OF INFLATION DURING THE PREVIOUS THREE-YEAR CERTIFICATION PERIOD.

12 (b) **Certified driver support organization - TNC notice to**
13 **drivers - organization responsibilities.** (I) ON OR BEFORE OCTOBER 30,
14 2025, EACH TNC SHALL PROVIDE NOTICE TO EACH DRIVER IN THE STATE
15 THE NAME OF THE DRIVER SUPPORT ORGANIZATION CERTIFIED PURSUANT
16 TO SUBSECTION (6)(a) OF THIS SECTION. AS PART OF THE NOTICE, THE TNC
17 SHALL ALSO INFORM DRIVERS:

18 (A) THAT THE ORGANIZATION HAS BEEN CERTIFIED AS A DRIVER
19 SUPPORT ORGANIZATION AND HAS MET CERTAIN CRITERIA AS APPROVED
20 BY THE DIVISION;

21 (B) THAT THE ORGANIZATION IS APPROVED BY THE STATE TO
22 REPRESENT DRIVERS IN THE DEACTIVATION PROCESS AND EDUCATE
23 DRIVERS, BUT THAT A DRIVER IS NOT REQUIRED TO AUTHORIZE THE
24 ORGANIZATION TO REPRESENT THE DRIVER; AND

25 (C) OF THE ORGANIZATION'S CONTACT INFORMATION, INCLUDING
26 PHONE NUMBER, E-MAIL ADDRESS, WEB ADDRESS, AND PHYSICAL
27 ADDRESS.

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

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

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

33 (III) PURSUANT TO A WRITTEN AUTHORIZATION FROM A DRIVER
34 WHO HAS BEEN DEACTIVATED, THE CERTIFIED DRIVER SUPPORT
35 ORGANIZATION MAY REPRESENT OR SUPPORT THE DRIVER THROUGH THE
36 PROCEDURES MADE AVAILABLE TO THE DEACTIVATED DRIVER THROUGH
37 THE DRIVER'S CONTRACT WITH THE TNC OR OTHERWISE MADE AVAILABLE
38 UNDER THE LAW. AN EMPLOYEE OF THE ORGANIZATION MAY PROVIDE
39 SUCH REPRESENTATION OR SUPPORT TO A DRIVER REGARDLESS OF
40 WHETHER THE EMPLOYEE IS AUTHORIZED TO PRACTICE LAW IN THE STATE.

41 (IV) (A) THE CERTIFIED DRIVER SUPPORT ORGANIZATION IS
42 REQUIRED TO PROVIDE REASONABLE AND FAIR REPRESENTATION TO
43 DRIVERS BASED ON THE ORGANIZATION'S APPROVED ANNUAL BUDGET AND

1 ITS REASONABLE ASSESSMENT OF EACH DRIVER'S CASE.

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

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

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

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

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

20 (I) THE ORGANIZATION IS IN GOOD STANDING;

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

24 (III) THE DRIVER HAS EXPRESSLY AUTHORIZED THE DEDUCTION IN
25 WRITING, WHICH WRITTEN AUTHORIZATION MUST INCLUDE, AT A MINIMUM,
26 SUFFICIENT INFORMATION TO IDENTIFY THE DRIVER AND THE DRIVER'S
27 DESIRED PER-TRIP DEDUCTION PERCENTAGE.

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

32 (c) A TNC SHALL MAKE THE FIRST AUTHORIZED DEDUCTIONS
33 FROM A DRIVER'S EARNINGS WITHIN THIRTY DAYS AFTER RECEIVING A
34 DRIVER'S WRITTEN AUTHORIZATION AND SHALL REMIT THE AMOUNTS
35 DEDUCTED TO THE DRIVER SUPPORT ORGANIZATION ON A MONTHLY BASIS
36 AND NO LATER THAN TWENTY-EIGHT DAYS AFTER THE END OF THE
37 PREVIOUS MONTH.

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

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

43 (f) UPON REQUEST BY A TNC, THE DRIVER SUPPORT

1 ORGANIZATION SHALL REIMBURSE THE TNC FOR THE TNC'S COSTS
2 ASSOCIATED WITH ADMINISTERING THE DEDUCTIONS AND REMITTANCE TO
3 THE DRIVER SUPPORT ORGANIZATION.

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

10 (8) **Dispute resolution - rights.** IN ADDITION TO ANY OTHER
11 CONSTRAINTS IMPOSED BY LAW, A TNC SHALL NOT INCLUDE IN ANY
12 CONTRACT WITH A DRIVER IN RELATION TO ANY DEACTIVATION
13 RECONSIDERATION OR APPEAL OR ACTION ARISING FROM A DEACTIVATION:

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

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

23 (c) A REQUIREMENT THAT THE DRIVER PAY ANY FEE EXCEEDING
24 THE AMOUNT THAT THE DRIVER WOULD HAVE HAD TO PAY IF BRINGING
25 THE SAME ACTION IN FEDERAL DISTRICT COURT IN THE STATE, INCLUDING
26 ANY FEE REDUCTION THAT THE DRIVER WOULD HAVE BEEN ELIGIBLE FOR
27 IN FEDERAL DISTRICT COURT IN THE STATE BASED ON A DETERMINATION
28 THAT THE DRIVER IS INDIGENT;

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

31 (e) A REQUIREMENT THAT THE DISPUTE BE ADJUDICATED,
32 ARBITRATED, OR RESOLVED BY ANY PERSON OR ORGANIZATION THAT IS
33 NOT A NEUTRAL THIRD PARTY."

34 Renumber succeeding subsections accordingly.

35 Page 5, line 27, strike "(4)(a) OR (4)(b)" and substitute "(9)(a) OR (9)(b)".

36 Page 5, strike lines 31 and 32 and substitute:

37 "(d) (I) FOR A SAMPLE SIZE OF ONE THOUSANDTH OF THE
38 TRANSPORTATION TASKS FOR WHICH A TNC DISPATCHES A DRIVER, OR AN
39 AMOUNT LESS AS AUTHORIZED BY THE DIRECTOR BY RULE, AND PURSUANT

- 1 TO A REPRESENTATIVE AND REPRODUCIBLE SAMPLING METHODOLOGY
2 DETERMINED AND DESIGNED BY THE DIRECTOR AND IN CONSULTATION
3 WITH THE TNCs:".
- 4 Page 5, line 33, strike "(I)" and substitute "(A)".
- 5 Page 5, line 35, strike "(II)" and substitute "(B)".
- 6 Page 5, line 36, strike "(III)" and substitute "(C)".
- 7 Page 5, line 38, strike "(IV)" and substitute "(D)".
- 8 Page 5, line 40, strike "(V)" and substitute "(E)".
- 9 Page 5, line 42, strike "(VI)" and substitute "(F)".
- 10 Page 5, line 43, strike "(VII)" and substitute "(G)".
- 11 Page 6, line 3, strike "(VIII)" and substitute "(H)".
- 12 Page 6, line 5, strike "(IX)" and substitute "(I)".
- 13 Page 6, line 6, strike "(X)" and substitute "(J)".
- 14 Page 6, line 9, strike "(XI)" and substitute "(K)".
- 15 Page 6, line 12, strike "TASK; AND" and substitute "TASK."
- 16 Page 6, after line 12 insert:
- 17 "(II) TO ENSURE THE RELIABILITY OF A TNC'S SAMPLING PROCESS
18 USED PURSUANT TO THIS SUBSECTION (9)(d) AND THE TNC'S COMPLIANCE
19 WITH THE SAMPLING PROCESS, THE DIRECTOR MAY AUDIT THE TNC'S
20 SAMPLING PROCESS BY REQUIRING THE TNC TO PROVIDE THE DIRECTOR
21 THE TOTAL NUMBER OF DISPATCHED TRANSPORTATION TASKS MADE
22 DURING THE RELEVANT SEMIANNUAL PERIOD."
- 23 Page 6, line 33, strike "(4)(e)(IV)(A) TO (4)(e)(IV)(C)" and substitute
24 "(9)(e)(IV)(A) TO (9)(e)(IV)(C)".
- 25 Page 6, line 39, strike "(4)" and substitute "(9)".
- 26 Page 7, strike line 13 and substitute "OFF, WHEN AVAILABLE."

- 1 Page 7, line 36, strike "(6)(b)" and substitute "(11)(b)".
- 2 Page 8, line 6, strike "(6)" and substitute "(11)".
- 3 Page 8, line 20, strike "(6)(f)" and substitute "(11)(f)".
- 4 Page 8, line 39, strike "A" and substitute "ON AND AFTER FEBRUARY 1,
5 2025, A".
- 6 Page 8, lines 42 and 43, strike "TASKS, INCLUDING" and substitute
7 "TASKS".
- 8 Page 9, line 9, strike "(8)(d)" and substitute "(13)(d)".
- 9 Page 9, line 16, strike "(8)(a)(II)" and substitute "(13)(d)(II)".
- 10 Page 9, line 18, strike "(8)(d)(II)" and substitute "(13)(d)(II)".
- 11 Page 9, line 25, strike "(8)." and substitute "(13).".
- 12 Page 9, line 35, strike "(8)(a)(I)" and substitute "(13)(a)(I)".
- 13 Page 9, line 38, strike "(8)(d)," and substitute "(13)(d),".
- 14 Page 10, after line 6 insert:
- 15 **"SECTION 2. Appropriation.** For the 2024-25 state fiscal year,
16 \$164,741 is appropriated to the department of labor and employment for
17 use by the division of labor standards and statistics. This appropriation is
18 from the general fund and is based on an assumption that the division will
19 require an additional 1.5 FTE. To implement this act, the division may
20 use this appropriation for program costs related to labor standards.".
- 21 Renumber succeeding section accordingly.
- 22 Amend printed bill, page 1, line 105, strike "PROCEDURES." and
23 substitute "PROCEDURES AND MAKING AN APPROPRIATION.".

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