

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 14-0687.02 Jennifer Berman x3286

SENATE BILL 14-125

SENATE SPONSORSHIP

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Senate Committees

Business, Labor, & Technology
Appropriations

House Committees

Transportation & Energy
Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE REGULATION OF TRANSPORTATION NETWORK**
102 **COMPANIES, AND, IN CONNECTION THEREWITH, REQUIRING**
103 **TRANSPORTATION NETWORK COMPANIES TO CARRY LIABILITY**
104 **INSURANCE, CONDUCT BACKGROUND CHECKS ON**
105 **TRANSPORTATION NETWORK COMPANY DRIVERS, INSPECT**
106 **TRANSPORTATION NETWORK COMPANY VEHICLES, AND OBTAIN**
107 **A PERMIT FROM THE PUBLIC UTILITIES COMMISSION; AND**
108 **MAKING AN APPROPRIATION.**

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 3rd Reading
April 28, 2014

HOUSE
Amended 2nd Reading
April 25, 2014

SENATE
3rd Reading Unamended
March 10, 2014

SENATE
Amended 2nd Reading
March 7, 2014

applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

The bill authorizes the public utilities commission (PUC) to regulate transportation network companies, which are companies that match drivers and passengers through a digital network, such as a mobile phone application, for transportation from an agreed-upon point of origin to an agreed-upon destination.

Section 1 of the bill exempts transportation network companies from the definition of "common carrier". **Section 2** exempts transportation network companies from the definitions of "contract carrier" and "motor carrier". **Sections 3 and 4** authorize the PUC to exercise limited regulatory authority over transportation network companies.

Section 5 exempts transportation network companies from much of the PUC's authority, including regulation of rates, entry, operational requirements, and general requirements governing common carriers, contract carriers, and motor carriers, but does require a transportation network company to obtain a permit from the PUC. Section 5 authorizes the PUC to regulate permit holders with respect to safety conditions, insurance requirements, and driver qualifications. Section 5 also authorizes the PUC to take action against a transportation network company for any violations, including the authority to issue a cease-and-desist letter, suspend or revoke a permit, or impose civil penalties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 40-1-102, **amend** (3)

3 (b) as follows:

4 **40-1-102. Definitions.** As used in articles 1 to 7 of this title,
5 unless the context otherwise requires:

6 (3) (b) "Common carrier" does not include a motor carrier that
7 provides transportation not subject to regulation pursuant to section
8 40-10.1-105, ~~or~~ A MOTOR CARRIER that is subject to part 3, 4, or 5 of
9 article 10.1 of this title, A TRANSPORTATION NETWORK COMPANY, AS
10 DEFINED IN SECTION 40-10.1-602 (3), OR A TRANSPORTATION NETWORK
11 COMPANY DRIVER, AS DEFINED IN SECTION 40-10.1-602 (4).

1 **SECTION 2.** In Colorado Revised Statutes, 40-7-112, **amend** (1)
2 (a) as follows:

3 **40-7-112. Applicability of civil penalties.** (1) (a) A person who
4 operates or offers to operate as a motor carrier as defined in section
5 40-10.1-101; ~~or~~ a motor carrier, motor private carrier, broker, freight
6 forwarder, leasing company, or other person required to register under
7 section 40-10.5-102; OR A TRANSPORTATION NETWORK COMPANY
8 REQUIRED TO OBTAIN A PERMIT UNDER SECTION 40-10.1-606 is subject to
9 civil penalties as provided in this section and sections 40-7-113 to
10 40-7-116, in addition to any other sanctions that may be imposed pursuant
11 to law.

12 **SECTION 3.** In Colorado Revised Statutes, 40-10.1-101, **amend**
13 (6) and (10) as follows:

14 **40-10.1-101. Definitions.** As used in this article, unless the
15 context otherwise requires:

16 (6) "Contract carrier" means every person, other than a common
17 carrier or a motor carrier of passengers under part 3 of this article, who,
18 by special contract, directly or indirectly affords a means of passenger
19 transportation over any public highway of this state; EXCEPT THAT THE
20 TERM DOES NOT INCLUDE A TRANSPORTATION NETWORK COMPANY, AS
21 DEFINED IN SECTION 40-10.1-602 (3), OR A TRANSPORTATION NETWORK
22 COMPANY DRIVER, AS DEFINED IN SECTION 40-10.1-602 (4).

23 (10) "Motor carrier" means any person owning, controlling,
24 operating, or managing ~~any~~ A motor vehicle that provides transportation
25 in intrastate commerce pursuant to this article; EXCEPT THAT THE TERM
26 DOES NOT INCLUDE A TRANSPORTATION NETWORK COMPANY, AS DEFINED
27 IN SECTION 40-10.1-602 (3), OR A TRANSPORTATION NETWORK COMPANY

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

2 **SECTION 4.** In Colorado Revised Statutes, 40-10.1-103, **add** (3)
3 as follows:

4 **40-10.1-103. Subject to control by commission.**

5 (3) TRANSPORTATION NETWORK COMPANIES, AS DEFINED IN SECTION
6 40-10.1-602 (3), ARE NOT COMMON CARRIERS, CONTRACT CARRIERS, OR
7 MOTOR CARRIERS UNDER THIS TITLE, BUT ARE DECLARED TO BE AFFECTED
8 WITH A PUBLIC INTEREST AND ARE SUBJECT TO REGULATION TO THE
9 EXTENT PROVIDED IN PART 6 OF THIS ARTICLE.

10 **SECTION 5.** In Colorado Revised Statutes, **add** 40-10.1-117 as
11 follows:

12 **40-10.1-117. Limited regulation of transportation network**
13 **companies.** NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
14 TRANSPORTATION NETWORK COMPANIES, AS DEFINED IN SECTION
15 40-10.1-602 (3), ARE GOVERNED EXCLUSIVELY UNDER PART 6 OF THIS
16 ARTICLE.

17 **SECTION 6.** In Colorado Revised Statutes, **add** part 6 to article
18 10.1 of title 40 as follows:

19 PART 6

20 TRANSPORTATION NETWORK COMPANIES

21 **40-10.1-601. Short title.** THIS ARTICLE SHALL BE KNOWN AND
22 MAY BE CITED AS THE "TRANSPORTATION NETWORK COMPANY ACT".

23 **40-10.1-602. Definitions.** AS USED IN THIS PART 6, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "PERSONAL VEHICLE" MEANS A VEHICLE THAT IS USED BY A
26 TRANSPORTATION NETWORK COMPANY DRIVER IN CONNECTION WITH
27 PROVIDING SERVICES FOR A TRANSPORTATION NETWORK COMPANY THAT

1 MEETS THE VEHICLE CRITERIA SET FORTH IN THIS PART 6.

2 (2) "PREARRANGED RIDE" MEANS A PERIOD OF TIME THAT BEGINS
3 WHEN A ■ DRIVER ACCEPTS A REQUESTED RIDE THROUGH A DIGITAL
4 NETWORK, CONTINUES WHILE THE DRIVER TRANSPORTS THE RIDER IN A
5 PERSONAL VEHICLE, AND ENDS WHEN THE RIDER DEPARTS FROM THE
6 PERSONAL VEHICLE.

7 (3) "TRANSPORTATION NETWORK COMPANY" MEANS A
8 CORPORATION, PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER ENTITY,
9 OPERATING IN COLORADO, THAT USES A DIGITAL NETWORK TO CONNECT
10 RIDERS TO ■ DRIVERS FOR THE PURPOSE OF PROVIDING TRANSPORTATION.
11 A TRANSPORTATION NETWORK COMPANY DOES NOT PROVIDE TAXI
12 SERVICE, TRANSPORTATION SERVICE ARRANGED THROUGH A
13 TRANSPORTATION BROKER, RIDESHARING ARRANGEMENTS, AS DEFINED IN
14 SECTION 39-22-509 (1) (a) (II), C.R.S., OR ANY TRANSPORTATION SERVICE
15 OVER FIXED ROUTES AT REGULAR INTERVALS. A TRANSPORTATION
16 NETWORK COMPANY IS NOT DEEMED TO OWN, CONTROL, OPERATE, OR
17 MANAGE THE PERSONAL VEHICLES USED BY TRANSPORTATION NETWORK
18 COMPANY DRIVERS. A TRANSPORTATION NETWORK COMPANY DOES NOT
19 INCLUDE A POLITICAL SUBDIVISION OR OTHER ENTITY EXEMPTED FROM
20 FEDERAL INCOME TAX UNDER SECTION 115 OF THE FEDERAL "INTERNAL
21 REVENUE CODE OF 1986", AS AMENDED.

22 (4) "TRANSPORTATION NETWORK COMPANY DRIVER" OR "DRIVER"
23 MEANS AN INDIVIDUAL WHO USES HIS OR HER PERSONAL VEHICLE TO
24 PROVIDE SERVICES FOR RIDERS MATCHED THROUGH A TRANSPORTATION
25 NETWORK COMPANY'S DIGITAL NETWORK. A ■ DRIVER NEED NOT BE AN
26 EMPLOYEE OF A TRANSPORTATION NETWORK COMPANY.

27 (5) "TRANSPORTATION NETWORK COMPANY RIDER" OR "RIDER"

1 MEANS A PASSENGER IN A PERSONAL VEHICLE FOR WHOM TRANSPORT IS
2 PROVIDED, INCLUDING:

3 (a) AN INDIVIDUAL WHO USES A TRANSPORTATION NETWORK
4 COMPANY'S ONLINE APPLICATION OR DIGITAL NETWORK TO CONNECT WITH
5 A DRIVER TO OBTAIN SERVICES IN THE DRIVER'S VEHICLE FOR THE
6 INDIVIDUAL AND ANYONE IN THE INDIVIDUAL'S PARTY; OR

7 (b) ANYONE FOR WHOM ANOTHER INDIVIDUAL USES A
8 TRANSPORTATION NETWORK COMPANY'S ONLINE APPLICATION OR DIGITAL
9 NETWORK TO CONNECT WITH A DRIVER TO OBTAIN SERVICES IN THE
10 DRIVER'S VEHICLE.

11 (6) "TRANSPORTATION NETWORK COMPANY SERVICES" OR
12 "SERVICES" MEANS THE PROVISION OF TRANSPORTATION BY A DRIVER TO
13 A RIDER WITH WHOM THE DRIVER IS MATCHED THROUGH A
14 TRANSPORTATION NETWORK COMPANY. THE TERM DOES NOT INCLUDE
15 SERVICES PROVIDED EITHER DIRECTLY BY OR UNDER CONTRACT WITH A
16 POLITICAL SUBDIVISION OR OTHER ENTITY EXEMPT FROM FEDERAL INCOME
17 TAX UNDER SECTION 115 OF THE FEDERAL "INTERNAL REVENUE CODE OF
18 1986", AS AMENDED.

19 **40-10.1-603. Limited regulation.** NOTWITHSTANDING ANY OTHER
20 PROVISION OF LAW, TRANSPORTATION NETWORK COMPANIES ARE
21 GOVERNED EXCLUSIVELY BY THIS PART 6. A TRANSPORTATION NETWORK
22 COMPANY IS NOT SUBJECT TO THE COMMISSION'S RATE, ENTRY,
23 OPERATIONAL, OR COMMON CARRIER REQUIREMENTS, OTHER THAN THOSE
24 REQUIREMENTS EXPRESSLY SET FORTH IN THIS PART 6.

25 **40-10.1-604. Registration - financial responsibility of**
26 **transportation network companies - insurance.** (1) A
27 TRANSPORTATION NETWORK COMPANY SHALL COMPLY WITH THE FILING

1 REQUIREMENTS OF PART 3 AND THE REGISTERED AGENT REQUIREMENT OF
2 PART 7 OF ARTICLE 90 OF TITLE 7, C.R.S.

3
4 (2) A TRANSPORTATION NETWORK COMPANY SHALL FILE WITH THE
5 COMMISSION DOCUMENTATION EVIDENCING THAT THE TRANSPORTATION
6 NETWORK COMPANY OR THE DRIVER HAS SECURED PRIMARY LIABILITY
7 INSURANCE COVERAGE FOR THE DRIVER FOR INCIDENTS INVOLVING THE
8 DRIVER DURING A PREARRANGED RIDE. COVERAGE FOR INCIDENTS
9 INVOLVING A DRIVER DURING A PREARRANGED RIDE MUST BE IN THE
10 AMOUNT OF AT LEAST ONE MILLION DOLLARS PER OCCURRENCE. THE
11 INSURANCE POLICY MUST PROVIDE COVERAGE AT ALL TIMES THE DRIVER
12 IS ENGAGED IN A PREARRANGED RIDE. THIS SUBSECTION (2) BECOMES
13 EFFECTIVE NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 6.

14 (3) FOR THE PERIOD OF TIME WHEN A DRIVER IS LOGGED INTO A
15 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK BUT IS NOT
16 ENGAGED IN A PREARRANGED RIDE, THE FOLLOWING INSURANCE
17 REQUIREMENTS APPLY:

18 (a) A TRANSPORTATION NETWORK COMPANY OR A DRIVER SHALL
19 MAINTAIN CONTINGENT LIABILITY INSURANCE WITH A LIABILITY LIMIT
20 EQUAL TO AT LEAST THE MINIMUM AMOUNT REQUIRED BY SECTION
21 10-4-620, C.R.S. AT A MINIMUM, THE CONTINGENT LIABILITY INSURANCE
22 MUST PROVIDE LIABILITY COVERAGE IF THE DRIVER'S INSURER FOR
23 PERSONAL AUTOMOBILE INSURANCE VALIDLY DENIES COVERAGE UNDER
24 THE TERMS OF THE DRIVER'S PERSONAL AUTOMOBILE INSURANCE POLICY
25 OR THE DRIVER OTHERWISE DOES NOT HAVE PERSONAL AUTOMOBILE
26 INSURANCE COVERAGE. NOTHING IN THIS PARAGRAPH (a) PRECLUDES AN
27 INSURER'S RIGHT TO EQUITABLE SUBROGATION. THE REQUIREMENTS OF

1 THIS PARAGRAPH (a) EXPIRE ON JANUARY 15, 2015, AND THIS PARAGRAPH
2 (a) IS REPEALED, EFFECTIVE JULY 1, 2015.

3 (b) ON OR BEFORE JANUARY 15, 2015, AND THEREAFTER, A DRIVER
4 OR A TRANSPORTATION NETWORK COMPANY ON THE DRIVER'S BEHALF
5 SHALL MAINTAIN A PRIMARY AUTOMOBILE INSURANCE POLICY THAT:

6 (I) RECOGNIZES THAT THE DRIVER IS A TRANSPORTATION
7 NETWORK COMPANY DRIVER AND COVERS THE DRIVER'S PROVISION OF
8 TRANSPORTATION NETWORK COMPANY SERVICES WHILE THE DRIVER IS
9 LOGGED INTO THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
10 NETWORK;

11 (II) MEETS AT LEAST THE MINIMUM COVERAGE OF AT LEAST FIFTY
12 THOUSAND DOLLARS TO ANY ONE PERSON IN ANY ONE ACCIDENT, ONE
13 HUNDRED THOUSAND DOLLARS TO ALL PERSONS IN ANY ONE ACCIDENT,
14 AND FOR PROPERTY DAMAGE ARISING OUT OF THE USE OF THE MOTOR
15 VEHICLE TO A LIMIT, EXCLUSIVE OF INTEREST AND COSTS, OF THIRTY
16 THOUSAND DOLLARS IN ANY ONE ACCIDENT; AND

17 (III) IS ONE OF THE FOLLOWING:

18 (A) FULL-TIME COVERAGE SIMILAR TO THE COVERAGE REQUIRED
19 BY COMMISSION RULES PROMULGATED UNDER SECTION 40-10.1-107 (1);

20 (B) AN INSURANCE RIDER TO, OR ENDORSEMENT OF, THE DRIVER'S
21 PERSONAL AUTOMOBILE INSURANCE POLICY REQUIRED BY THE "MOTOR
22 VEHICLE FINANCIAL RESPONSIBILITY ACT," ARTICLE 7 OF TITLE 42,
23 C.R.S.; OR

24 (C) A CORPORATE LIABILITY INSURANCE POLICY PURCHASED BY
25 THE TRANSPORTATION NETWORK COMPANY THAT PROVIDES PRIMARY
26 COVERAGE FOR THE PERIOD OF TIME IN WHICH A DRIVER IS LOGGED INTO
27 THE DIGITAL NETWORK.

1 (c) THE DIVISION OF INSURANCE SHALL CONDUCT A STUDY OF
2 WHETHER THE LEVELS OF COVERAGE PROVIDED FOR IN THIS SUBSECTION
3 (3) ARE APPROPRIATE FOR THE RISK INVOLVED WITH TRANSPORTATION
4 NETWORK COMPANY SERVICES. IN CONDUCTING THE STUDY, THE DIVISION
5 OF INSURANCE SHALL CONVENE ONE OR MORE STAKEHOLDER MEETINGS TO
6 EVALUATE THE CHOICES OF COVERAGE SET FORTH IN SUBPARAGRAPH (III)
7 OF PARAGRAPH (b) OF THIS SUBSECTION (3). ON OR BEFORE JANUARY 15,
8 2015, THE DIVISION OF INSURANCE SHALL PRESENT ITS FINDINGS AND ANY
9 RECOMMENDATIONS TO THE BUSINESS, LABOR, ECONOMIC AND
10 WORKFORCE DEVELOPMENT COMMITTEE IN THE HOUSE OF
11 REPRESENTATIVES, THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE
12 IN THE SENATE, THE TRANSPORTATION AND ENERGY COMMITTEE IN THE
13 HOUSE OF REPRESENTATIVES, AND THE TRANSPORTATION COMMITTEE IN
14 THE SENATE.

15 (d) IF A TRANSPORTATION NETWORK COMPANY PURCHASES AN
16 INSURANCE POLICY UNDER THIS SUBSECTION (3), IT SHALL PROVIDE
17 DOCUMENTATION TO THE COMMISSION EVIDENCING THAT THE
18 TRANSPORTATION NETWORK COMPANY HAS SECURED THE POLICY. IF THE
19 RESPONSIBILITY IS PLACED ON A DRIVER TO PURCHASE INSURANCE UNDER
20 THIS SUBSECTION (3), THE TRANSPORTATION NETWORK COMPANY SHALL
21 VERIFY THAT THE DRIVER HAS PURCHASED AN INSURANCE POLICY UNDER
22 THIS SUBSECTION (3).

23 (4) A DRIVER'S PERSONAL AUTOMOBILE INSURANCE POLICY THAT
24 COMPLIES WITH PART 6 OF ARTICLE 4 OF TITLE 10 IS SUFFICIENT TO SATISFY
25 THE COMPULSORY INSURANCE REQUIREMENTS THEREOF. AN INSURANCE
26 POLICY REQUIRED BY SUBSECTION (2) OR SUBSECTION (3) OF THIS SECTION:

27 (a) MAY BE PLACED WITH AN INSURER LICENSED UNDER TITLE 10,

1 C.R.S., OR WITH A SURPLUS LINES INSURER AUTHORIZED UNDER ARTICLE
2 5 OF TITLE 10, C.R.S.; AND

3 (b) NEED NOT SEPARATELY SATISFY THE REQUIREMENTS OF PART
4 6 OF ARTICLE 4 OF TITLE 10.

5 (5) NOTHING IN THIS SECTION REQUIRES A PERSONAL AUTOMOBILE
6 INSURANCE POLICY TO PROVIDE COVERAGE FOR THE PERIOD OF TIME IN
7 WHICH A DRIVER IS LOGGED INTO A TRANSPORTATION NETWORK
8 COMPANY'S DIGITAL NETWORK.

9 (6) IF MORE THAN ONE INSURANCE POLICY PROVIDES VALID AND
10 COLLECTIBLE COVERAGE FOR A LOSS ARISING OUT OF AN OCCURRENCE
11 INVOLVING A MOTOR VEHICLE OPERATED BY A DRIVER, THE
12 RESPONSIBILITY FOR THE CLAIM MUST BE DIVIDED ON A PRO RATA BASIS
13 AMONG ALL OF THE APPLICABLE POLICIES. THIS EQUAL DIVISION OF
14 RESPONSIBILITY MAY ONLY BE MODIFIED BY THE WRITTEN AGREEMENT OF
15 ALL OF THE INSURERS OF THE APPLICABLE POLICIES AND THE OWNERS OF
16 THOSE POLICIES.

17 (7) IN A CLAIMS COVERAGE INVESTIGATION, A TRANSPORTATION
18 NETWORK COMPANY SHALL COOPERATE WITH A LIABILITY INSURER THAT
19 ALSO INSURES THE DRIVER'S TRANSPORTATION NETWORK COMPANY
20 VEHICLE, INCLUDING THE PROVISION OF RELEVANT DATES AND TIMES
21 DURING WHICH AN INCIDENT OCCURRED THAT INVOLVED THE DRIVER
22 WHILE THE DRIVER WAS LOGGED INTO A TRANSPORTATION NETWORK
23 COMPANY'S DIGITAL NETWORK.

24 (8) NOTHING IN THIS SECTION MODIFIES OR ABROGATES ANY
25 OTHERWISE APPLICABLE INSURANCE REQUIREMENTS SET FORTH IN TITLE
26 10, C.R.S.

27 (9) IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES

1 A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR
2 COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL
3 CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS
4 REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND
5 THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE. THE COMMISSION
6 SHALL NOT ASSESS ANY FINES AS A RESULT OF A VIOLATION OF THIS
7 SUBSECTION (9).

8 **40-10.1-605. Operational requirements.** (1) THE FOLLOWING
9 REQUIREMENTS APPLY TO THE PROVISION OF SERVICES:

10 (a) A DRIVER SHALL NOT PROVIDE SERVICES UNLESS A
11 TRANSPORTATION NETWORK COMPANY HAS MATCHED THE DRIVER TO A
12 RIDER THROUGH A DIGITAL NETWORK. A DRIVER SHALL NOT SOLICIT OR
13 ACCEPT THE ON-DEMAND SUMMONING OF A RIDE, OTHERWISE KNOWN AS
14 A "STREET HAIL".

15 (b) A TRANSPORTATION NETWORK COMPANY SHALL MAKE
16 AVAILABLE TO PROSPECTIVE RIDERS AND DRIVERS THE METHOD BY WHICH
17 THE TRANSPORTATION NETWORK COMPANY CALCULATES FARES OR THE
18 APPLICABLE RATES BEING CHARGED AND AN OPTION TO RECEIVE AN
19 ESTIMATED FARE.

20 (c) UPON COMPLETION OF A PREARRANGED RIDE, A
21 TRANSPORTATION NETWORK COMPANY SHALL TRANSMIT TO THE RIDER AN
22 ELECTRONIC RECEIPT, EITHER BY ELECTRONIC MAIL OR VIA TEXT MESSAGE,
23 DOCUMENTING:

24 (I) THE POINT OF ORIGIN AND DESTINATION OF THE PREARRANGED
25 RIDE;

26 (II) THE TOTAL DURATION AND DISTANCE OF THE PREARRANGED
27 RIDE; ==

1 (III) THE TOTAL FARE PAID, INCLUDING THE BASE FARE AND ANY
2 ADDITIONAL CHARGES INCURRED FOR DISTANCE TRAVELED OR DURATION
3 OF THE PREARRANGED RIDE; AND

4 (IV) THE DRIVER'S FIRST NAME AND TELEPHONE NUMBER.

5 (d) BEFORE PERMITTING A PERSON TO ACT AS A ■ DRIVER ON ITS
6 DIGITAL NETWORK, A TRANSPORTATION NETWORK COMPANY SHALL
7 CONFIRM THAT THE PERSON IS AT LEAST TWENTY-ONE YEARS OF AGE AND
8 POSSESSES:

9 (I) A VALID DRIVER'S LICENSE;

10 (II) PROOF OF AUTOMOBILE INSURANCE; ■

11 (III) PROOF OF A COLORADO VEHICLE REGISTRATION; AND

12 (IV) WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS PART
13 6 AND PURSUANT TO COMMISSION RULES, PROOF THAT THE PERSON IS
14 MEDICALLY FIT TO DRIVE.

15 (e) A DRIVER SHALL NOT OFFER OR PROVIDE TRANSPORTATION
16 NETWORK COMPANY SERVICES FOR MORE THAN TWELVE CONSECUTIVE
17 HOURS.

18 (f) A TRANSPORTATION NETWORK COMPANY SHALL IMPLEMENT AN
19 INTOXICATING SUBSTANCE POLICY FOR DRIVERS THAT DISALLOWS ANY
20 AMOUNT OF INTOXICATION OF THE DRIVER WHILE PROVIDING SERVICES.
21 THE TRANSPORTATION NETWORK COMPANY SHALL INCLUDE ON ITS WEB
22 SITE AND MOBILE DEVICE APPLICATION SOFTWARE A NOTICE CONCERNING
23 THE TRANSPORTATION NETWORK COMPANY'S INTOXICATING SUBSTANCE
24 POLICY.

25 (g) (I) A TRANSPORTATION NETWORK COMPANY SHALL CONDUCT
26 OR HAVE A CERTIFIED MECHANIC CONDUCT A SAFETY INSPECTION OF A
27 PROSPECTIVE DRIVER'S VEHICLE BEFORE IT IS APPROVED FOR USE AS A

1 PERSONAL VEHICLE AND SHALL HAVE PERIODIC INSPECTIONS OF PERSONAL
2 VEHICLES CONDUCTED THEREAFTER, AT INTERVALS OF AT LEAST ONE
3 INSPECTION PER YEAR. A SAFETY INSPECTION SHALL INCLUDE AN
4 INSPECTION OF:

- 5 (A) FOOT BRAKES;
- 6 (B) EMERGENCY BRAKES;
- 7 (C) STEERING MECHANISM;
- 8 (D) WINDSHIELD;
- 9 (E) REAR WINDOW AND OTHER GLASS;
- 10 (F) WINDSHIELD WIPERS;
- 11 (G) HEADLIGHTS;
- 12 (H) TAIL LIGHTS;
- 13 (I) TURN INDICATOR LIGHTS;
- 14 (J) STOP LIGHTS;
- 15 (K) FRONT SEAT ADJUSTMENT MECHANISM;
- 16 (L) THE OPENING, CLOSING, AND LOCKING CAPABILITY OF THE
17 DOORS;
- 18 (M) HORN;
- 19 (N) SPEEDOMETER;
- 20 (O) BUMPERS;
- 21 (P) MUFFLER AND EXHAUST SYSTEM;
- 22 (Q) TIRE CONDITIONS, INCLUDING TREAD DEPTH;
- 23 (R) INTERIOR AND EXTERIOR REAR-VIEW MIRRORS; AND
- 24 (S) SAFETY BELTS.

25 (II) EFFECTIVE NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
26 PART 6, THE COMMISSION MAY ALSO CONDUCT INSPECTIONS OF PERSONAL
27 VEHICLES.

1 (h) A PERSONAL VEHICLE MUST:
2 (I) HAVE AT LEAST FOUR DOORS; AND
3 (II) BE DESIGNED TO CARRY NO MORE THAN EIGHT PASSENGERS,
4 INCLUDING THE DRIVER.

5 (i) A TRANSPORTATION NETWORK COMPANY SHALL MAKE THE
6 FOLLOWING DISCLOSURE TO A PROSPECTIVE DRIVER IN THE PROSPECTIVE
7 DRIVER'S TERMS OF SERVICE:

8 WHILE OPERATING ON THE TRANSPORTATION NETWORK
9 COMPANY'S DIGITAL NETWORK, YOUR PERSONAL
10 AUTOMOBILE INSURANCE POLICY MIGHT NOT AFFORD
11 LIABILITY COVERAGE, DEPENDING ON THE POLICY'S
12 TERMS.

13 (j) (I) A TRANSPORTATION NETWORK COMPANY SHALL MAKE THE
14 FOLLOWING DISCLOSURE TO A PROSPECTIVE DRIVER IN THE PROSPECTIVE
15 DRIVER'S TERMS OF SERVICE:

16 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE
17 TRANSPORTATION NETWORK COMPANY SERVICES FOR
18 OUR TRANSPORTATION NETWORK COMPANY HAS A LIEN
19 AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT
20 YOU WILL BE USING THE VEHICLE FOR TRANSPORTATION
21 SERVICES THAT MAY VIOLATE THE TERMS OF YOUR
22 CONTRACT WITH THE LIENHOLDER.

23 (II) THE DISCLOSURE SET FORTH IN SUBPARAGRAPH (I) OF THIS
24 PARAGRAPH (j) MUST BE PLACED PROMINENTLY IN THE PROSPECTIVE
25 DRIVER'S WRITTEN TERMS OF SERVICE, AND THE PROSPECTIVE DRIVER
26 MUST ACKNOWLEDGE THE TERMS OF SERVICE ELECTRONICALLY OR BY
27 SIGNATURE.

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(k) A TRANSPORTATION NETWORK COMPANY SHALL MAKE AVAILABLE TO A RIDER A CUSTOMER SUPPORT TELEPHONE NUMBER ON ITS DIGITAL NETWORK OR WEB SITE FOR RIDER INQUIRIES.

(l) THE DISCLOSURE REQUIREMENTS SET FORTH IN THIS SUBSECTION (1) TAKE EFFECT ON JULY 1, 2014.

(m) (I) A TRANSPORTATION NETWORK COMPANY SHALL NOT DISCLOSE TO A THIRD PARTY ANY PERSONALLY IDENTIFIABLE INFORMATION CONCERNING A USER OF THE TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK UNLESS:

(A) THE TRANSPORTATION NETWORK COMPANY OBTAINS THE USER'S CONSENT TO DISCLOSE PERSONALLY IDENTIFIABLE INFORMATION;

(B) DISCLOSURE IS NECESSARY TO COMPLY WITH A LEGAL OBLIGATION; OR

(C) DISCLOSURE IS NECESSARY TO PROTECT OR DEFEND THE TERMS AND CONDITIONS FOR USE OF THE SERVICE OR TO INVESTIGATE VIOLATIONS OF THE TERMS AND CONDITIONS.

(II) THE LIMITATION ON DISCLOSURE DOES NOT APPLY TO THE DISCLOSURE OF AGGREGATED USER DATA AND OTHER INFORMATION ABOUT THE USER THAT IS NOT PERSONALLY IDENTIFIABLE.

(n) ANY TAXICAB COMPANY OR SHUTTLE COMPANY AUTHORIZED BY THE COMMISSION UNDER THIS ARTICLE MAY CONVERT TO A TRANSPORTATION NETWORK COMPANY MODEL OR MAY SET UP A SUBSIDIARY OR AFFILIATE TRANSPORTATION NETWORK COMPANY. IN CONVERTING TO A TRANSPORTATION NETWORK COMPANY MODEL OR SETTING UP A TRANSPORTATION NETWORK COMPANY SUBSIDIARY OR

1 AFFILIATE, A TAXICAB COMPANY OR SHUTTLE COMPANY AUTHORIZED BY
2 THE COMMISSION UNDER THIS ARTICLE MAY COMPLETELY OR PARTIALLY
3 SUSPEND ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED
4 UNDER SECTION 40-10.1-201. DURING THE PERIOD OF SUSPENSION OF ITS
5 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, A TAXICAB
6 COMPANY, SHUTTLE COMPANY, OR A SUBSIDIARY OR AFFILIATE OF A
7 TAXICAB COMPANY OR SHUTTLE COMPANY IS EXEMPT FROM TAXI OR
8 SHUTTLE STANDARDS UNDER THIS ARTICLE, THE STANDARDS CONCERNING
9 THE REGULATION OF RATES AND CHARGES UNDER ARTICLE 3 OF THIS TITLE,
10 AND ANY COMMISSION RULES REGARDING COMMON CARRIERS
11 PROMULGATED UNDER THIS ARTICLE OR ARTICLE 3 OF THIS TITLE.

12 (o) EACH TRANSPORTATION NETWORK COMPANY SHALL REQUIRE
13 THAT EACH PERSONAL VEHICLE PROVIDING TRANSPORTATION NETWORK
14 COMPANY SERVICES DISPLAY AN EXTERIOR MARKING THAT IDENTIFIES THE
15 PERSONAL VEHICLE AS A VEHICLE FOR HIRE.

16 (2) A TRANSPORTATION NETWORK COMPANY OR A THIRD PARTY
17 SHALL RETAIN TRUE AND ACCURATE INSPECTION RECORDS FOR AT LEAST
18 FOURTEEN MONTHS AFTER AN INSPECTION WAS CONDUCTED FOR EACH
19 PERSONAL VEHICLE USED BY A DRIVER.

20 (3) (a) BEFORE A PERSON IS PERMITTED TO ACT AS A DRIVER
21 THROUGH USE OF A TRANSPORTATION NETWORK COMPANY'S DIGITAL
22 NETWORK, THE PERSON SHALL:

23 (I) OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT TO THE
24 PROCEDURES SET FORTH IN SECTION 40-10.1-110 AS SUPPLEMENTED BY
25 THE COMMISSION'S RULES PROMULGATED UNDER SECTION 40-10.1-110 OR
26 THROUGH A PRIVATELY ADMINISTERED NATIONAL CRIMINAL HISTORY
27 RECORD CHECK, INCLUDING THE NATIONAL SEX OFFENDER DATABASE; AND

1 (II) IF A PRIVATELY ADMINISTERED NATIONAL CRIMINAL HISTORY
2 RECORD CHECK IS USED, PROVIDE A COPY OF THE CRIMINAL HISTORY
3 RECORD CHECK TO THE TRANSPORTATION NETWORK COMPANY.

4 (b) A DRIVER SHALL OBTAIN A CRIMINAL HISTORY RECORD CHECK
5 IN ACCORDANCE WITH SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS
6 SUBSECTION (3) EVERY FIVE YEARS WHILE SERVING AS A DRIVER.

7 (c) (I) A PERSON WHO HAS BEEN CONVICTED OF OR PLED GUILTY
8 OR NOLO CONTENDERE TO DRIVING UNDER THE INFLUENCE OF DRUGS OR
9 ALCOHOL IN THE PREVIOUS SEVEN YEARS BEFORE APPLYING TO BECOME A
10 DRIVER SHALL NOT SERVE AS A DRIVER. IF THE CRIMINAL HISTORY
11 RECORD CHECK REVEALS THAT THE PERSON HAS EVER BEEN CONVICTED
12 OF OR PLED GUILTY OR NOLO CONTENDERE TO ANY OF THE FOLLOWING
13 FELONY OFFENSES, THE PERSON SHALL NOT SERVE AS A DRIVER:

14 (A) AN OFFENSE INVOLVING FRAUD, AS DESCRIBED IN ARTICLE 5
15 OF TITLE 18, C.R.S.;

16 (B) AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS
17 DEFINED IN SECTION 16-22-102 (9), C.R.S.;

18 (C) AN OFFENSE AGAINST PROPERTY, AS DESCRIBED IN ARTICLE 4
19 OF TITLE 18, C.R.S.; OR

20 (D) A CRIME OF VIOLENCE, AS DESCRIBED IN SECTION 18-1.3-406,
21 C.R.S.

22 (II) A PERSON WHO HAS BEEN CONVICTED OF A COMPARABLE
23 OFFENSE TO THE OFFENSES LISTED IN SUBPARAGRAPH (I) OF THIS
24 PARAGRAPH (b) IN ANOTHER STATE OR IN THE UNITED STATES SHALL NOT
25 SERVE AS A DRIVER.

26 (III) A TRANSPORTATION NETWORK COMPANY OR A THIRD PARTY
27 SHALL RETAIN TRUE AND ACCURATE RESULTS OF THE CRIMINAL HISTORY

1 RECORD CHECK FOR EACH DRIVER THAT PROVIDES SERVICES FOR THE
2 TRANSPORTATION NETWORK COMPANY FOR AT LEAST FIVE YEARS AFTER
3 THE CRIMINAL HISTORY RECORD CHECK WAS CONDUCTED.

4 (IV) A PERSON WHO HAS, WITHIN THE IMMEDIATELY PRECEDING
5 FIVE YEARS, BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE
6 TO A FELONY SHALL NOT SERVE AS A DRIVER.

7 (4) (a) BEFORE PERMITTING AN INDIVIDUAL TO ACT AS A DRIVER
8 ON ITS DIGITAL NETWORK, A TRANSPORTATION NETWORK COMPANY SHALL
9 OBTAIN AND REVIEW A DRIVING HISTORY RESEARCH REPORT FOR THE
10 INDIVIDUAL.

11 (b) AN INDIVIDUAL WITH THE FOLLOWING MOVING VIOLATIONS
12 SHALL NOT SERVE AS A DRIVER:

13 (I) MORE THAN THREE MOVING VIOLATIONS IN THE THREE-YEAR
14 PERIOD PRECEDING THE INDIVIDUAL'S APPLICATION TO SERVE AS A DRIVER;
15 OR

16 (II) A MAJOR MOVING VIOLATION IN THE THREE-YEAR PERIOD
17 PRECEDING THE INDIVIDUAL'S APPLICATION TO SERVE AS A DRIVER,
18 WHETHER COMMITTED IN THIS STATE, ANOTHER STATE, OR THE UNITED
19 STATES, INCLUDING VEHICULAR ELUDING, AS DESCRIBED IN SECTION
20 18-9-116.5, C.R.S., RECKLESS DRIVING, AS DESCRIBED IN SECTION
21 42-4-1401, C.R.S., AND DRIVING UNDER RESTRAINT, AS DESCRIBED IN
22 SECTION 42-2-138, C.R.S.

23 (c) A TRANSPORTATION NETWORK COMPANY OR A THIRD PARTY
24 SHALL RETAIN TRUE AND ACCURATE RESULTS OF THE DRIVING HISTORY
25 RESEARCH REPORT FOR EACH DRIVER THAT PROVIDES SERVICES FOR THE
26 TRANSPORTATION NETWORK COMPANY FOR AT LEAST THREE YEARS.

27 (5) IF ANY PERSON FILES A COMPLAINT WITH THE COMMISSION

1 AGAINST A TRANSPORTATION NETWORK COMPANY OR DRIVER, THE
2 COMMISSION MAY INSPECT THE TRANSPORTATION NETWORK COMPANY'S
3 RECORDS AS REASONABLY NECESSARY TO INVESTIGATE AND RESOLVE THE
4 COMPLAINT.

5 (6) (a) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE
6 SERVICES TO THE PUBLIC IN A NONDISCRIMINATORY MANNER, REGARDLESS
7 OF GEOGRAPHIC LOCATION OF THE DEPARTURE POINT OR DESTINATION,
8 ONCE THE DRIVER AND RIDER HAVE BEEN MATCHED THROUGH THE DIGITAL
9 NETWORK; RACE; ETHNICITY; GENDER; SEXUAL ORIENTATION, AS DEFINED
10 IN SECTION 2-4-401 (13.5), C.R.S.; GENDER IDENTITY; OR DISABILITY THAT
11 COULD PREVENT CUSTOMERS FROM ACCESSING TRANSPORTATION. A
12 DRIVER SHALL NOT REFUSE TO TRANSPORT A PASSENGER UNLESS:

13 (I) THE PASSENGER IS ACTING IN AN UNLAWFUL, DISORDERLY, OR
14 ENDANGERING MANNER;

15 (II) THE PASSENGER IS UNABLE TO CARE FOR HIMSELF OR HERSELF
16 AND IS NOT IN THE CHARGE OF A RESPONSIBLE COMPANION; OR

17 (III) THE DRIVER HAS ALREADY COMMITTED TO PROVIDING A RIDE
18 FOR ANOTHER RIDER.

19 (b) A TRANSPORTATION NETWORK COMPANY SHALL NOT IMPOSE
20 ADDITIONAL CHARGES FOR PROVIDING SERVICES TO PERSONS WITH
21 PHYSICAL OR MENTAL DISABILITIES BECAUSE OF THOSE DISABILITIES.

22 (c) A DRIVER SHALL PERMIT A SERVICE ANIMAL TO ACCOMPANY A
23 RIDER ON A PREARRANGED RIDE.

24 (d) IF A RIDER WITH PHYSICAL OR MENTAL DISABILITIES REQUIRES
25 THE USE OF THE RIDER'S MOBILITY EQUIPMENT, A DRIVER SHALL STORE
26 THE MOBILITY EQUIPMENT IN THE VEHICLE DURING A PREARRANGED RIDE
27 IF THE VEHICLE IS REASONABLY CAPABLE OF STORING THE MOBILITY

1 EQUIPMENT. IF THE DRIVER IS UNABLE TO STORE A RIDER'S MOBILITY
2 EQUIPMENT IN THE DRIVER'S VEHICLE, THE DRIVER SHALL REFER THE RIDER
3 TO ANOTHER DRIVER OR TRANSPORTATION SERVICE PROVIDER WITH A
4 VEHICLE THAT IS EQUIPPED TO ACCOMMODATE THE RIDER'S MOBILITY
5 EQUIPMENT.

6 (7) (a) A TRANSPORTATION NETWORK COMPANY IS NOT LIABLE FOR
7 A DRIVER'S VIOLATION OF SUBSECTION (6) OF THIS SECTION UNLESS THE
8 DRIVER'S VIOLATION HAS BEEN PREVIOUSLY REPORTED TO THE
9 TRANSPORTATION NETWORK COMPANY IN WRITING, AND THE
10 TRANSPORTATION NETWORK COMPANY HAS FAILED TO REASONABLY
11 ADDRESS THE ALLEGED VIOLATION. THE COMMISSION SHALL AFFORD A
12 TRANSPORTATION NETWORK COMPANY THE SAME DUE PROCESS RIGHTS
13 AFFORDED TRANSPORTATION PROVIDERS IN DEFENDING AGAINST CIVIL
14 PENALTIES ASSESSED BY THE COMMISSION.

15 (b) THE COMMISSION MAY ASSESS A CIVIL PENALTY UP TO FIVE
16 HUNDRED FIFTY DOLLARS UNDER THIS SUBSECTION (7).

17 (8) WITHIN TEN DAYS OF RECEIVING A COMPLAINT ABOUT A
18 DRIVER'S ALLEGED VIOLATION OF SUBSECTION (6) OF THIS SECTION, THE
19 COMMISSION SHALL REPORT THE COMPLAINT TO THE TRANSPORTATION
20 NETWORK COMPANY FOR WHICH THE DRIVER PROVIDES SERVICES.

21 (9) A DRIVER SHALL IMMEDIATELY REPORT TO THE
22 TRANSPORTATION NETWORK COMPANY ANY REFUSAL TO TRANSPORT A
23 PASSENGER PURSUANT TO PARAGRAPH (a) OF SUBSECTION (6) OF THIS
24 SECTION, AND THE TRANSPORTATION NETWORK COMPANY SHALL
25 ANNUALLY REPORT ALL SUCH REFUSALS TO THE COMMISSION IN A FORM
26 AND MANNER DETERMINED BY THE COMMISSION.

27 **40-10.1-606. Permit required for transportation network**

1 **companies - penalty for violation - rules.** (1) A PERSON SHALL NOT
2 OPERATE A TRANSPORTATION NETWORK COMPANY IN COLORADO
3 WITHOUT FIRST HAVING OBTAINED A PERMIT FROM THE COMMISSION.

4 (2) THE COMMISSION SHALL ISSUE A PERMIT TO EACH
5 TRANSPORTATION NETWORK COMPANY THAT MEETS THE REQUIREMENTS
6 OF THIS PART 6 AND PAYS AN ANNUAL PERMIT FEE OF ONE HUNDRED
7 ELEVEN THOUSAND TWO HUNDRED FIFTY DOLLARS TO THE COMMISSION.
8 THE COMMISSION MAY ADJUST THE ANNUAL PERMIT FEE BY RULE TO
9 COVER THE COMMISSION'S DIRECT AND INDIRECT COSTS ASSOCIATED WITH
10 IMPLEMENTING THIS PART 6.

11 (3) THE COMMISSION SHALL DETERMINE THE FORM AND MANNER
12 OF APPLICATION FOR A TRANSPORTATION NETWORK COMPANY PERMIT.

13 (4) THE COMMISSION MAY TAKE ACTION AGAINST A
14 TRANSPORTATION NETWORK COMPANY AS SET FORTH IN SECTION
15 40-10.1-112, INCLUDING ISSUING AN ORDER TO CEASE AND DESIST AND
16 SUSPENDING, REVOKING, ALTERING, OR AMENDING A PERMIT ISSUED TO
17 THE TRANSPORTATION NETWORK COMPANY.

18 (5) (a) FOR A VIOLATION OF THIS PART 6 OR A FAILURE TO COMPLY
19 WITH A COMMISSION ORDER, DECISION, OR RULE ISSUED UNDER THIS PART
20 6, A TRANSPORTATION NETWORK COMPANY IS SUBJECT TO THE
21 COMMISSION'S AUTHORITY UNDER SECTIONS 40-7-101, 40-7-112,
22 40-7-113, 40-7-115, AND 40-7-116.

23 (b) THE COMMISSION SHALL NOT ASSESS A PENALTY AGAINST A
24 DRIVER.

25 (6) THE COMMISSION MAY DENY AN APPLICATION UNDER THIS
26 PART 6 OR REFUSE TO RENEW THE PERMIT OF A TRANSPORTATION
27 NETWORK COMPANY BASED ON A DETERMINATION THAT THE

1 TRANSPORTATION NETWORK COMPANY HAS NOT SATISFIED A CIVIL
2 PENALTY ARISING OUT OF AN ADMINISTRATIVE OR ENFORCEMENT ACTION
3 BROUGHT BY THE COMMISSION.

4 **40-10.1-607. Fees - transportation network company fund -**
5 **creation.** THE COMMISSION SHALL TRANSMIT ALL FEES COLLECTED
6 PURSUANT TO THIS PART 6 TO THE STATE TREASURER, WHO SHALL CREDIT
7 THE FEES TO THE TRANSPORTATION NETWORK COMPANY FUND, WHICH IS
8 HEREBY CREATED IN THE STATE TREASURY. THE MONEYS IN THE FUND ARE
9 CONTINUOUSLY APPROPRIATED TO THE COMMISSION FOR THE PURPOSES
10 SET FORTH IN THIS PART 6. ALL INTEREST EARNED FROM THE INVESTMENT
11 OF MONEYS IN THE FUND IS CREDITED TO THE FUND. ANY MONEYS NOT
12 EXPENDED AT THE END OF THE FISCAL YEAR REMAIN IN THE FUND AND DO
13 NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

14 **40-10.1-608. Rules.** (1) THE COMMISSION MAY PROMULGATE
15 RULES CONSISTENT WITH THIS PART 6, INCLUDING RULES CONCERNING
16 ADMINISTRATION, FEES, AND SAFETY REQUIREMENTS.

17 (2) THE COMMISSION MAY PROMULGATE RULES REQUIRING A
18 TRANSPORTATION NETWORK COMPANY TO MAINTAIN AND FILE WITH THE
19 COMMISSION EVIDENCE OF FINANCIAL RESPONSIBILITY AND PROOF OF THE
20 CONTINUED VALIDITY OF THE INSURANCE POLICY, SURETY BOND, OR
21 SELF-INSURANCE, BUT SHALL NOT REQUIRE A TRANSPORTATION NETWORK
22 COMPANY TO FILE A COPY OF THE INSURANCE POLICY.

23 **SECTION 7.** In Colorado Revised Statutes, **add** 8-41-211 as
24 follows:

25 **8-41-211. Transportation network company drivers - rules.**
26 UPON THE EFFECTIVE DATE OF PART 6 OF ARTICLE 10.1 OF TITLE 40,
27

1 C.R.S., THE DIRECTOR, UPON CONSIDERATION OF EXISTING COLORADO
2 STATUTORY AND CASE LAW, MAY BY RULE DETERMINE WHETHER OR NOT
3 TRANSPORTATION NETWORK COMPANIES HAVE AN OBLIGATION UNDER
4 EXISTING COLORADO LAW TO PROVIDE OR OFFER FOR PURCHASE WORKERS'
5 COMPENSATION INSURANCE COVERAGE TO TRANSPORTATION NETWORK
6 COMPANY DRIVERS.

7 **SECTION 8. Appropriation.** (1) In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 transportation network company fund created in section 40-10.1-607,
10 Colorado Revised Statutes, not otherwise appropriated, to the department
11 of regulatory agencies, for the fiscal year beginning July 1, 2014, the sum
12 of \$179,777 and 2.5 FTE, or so much thereof as may be necessary, for
13 allocation to the public utilities commission for the administrative costs
14 related to the implementation of this act.

15 (2) In addition to any other appropriation, there is hereby
16 appropriated to the department of law, for the fiscal year beginning July
17 1, 2014, the sum of \$9,108 and 0.1 FTE, or so much thereof as may be
18 necessary, for the provision of legal services for the public utilities
19 commission related to the implementation of this act. Said sum is from
20 reappropriated funds received from the department of regulatory agencies
21 out of the appropriation made in subsection (1) of this section.

22 **SECTION 9. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.