



General Assembly

January Session, 2019

Raised Bill No. 7243

LCO No. 4749



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

**AN ACT CONCERNING TRANSPORTATION NETWORK COMPANY
SAFETY AND SECURITY POLICIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13b-119 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) Prior to permitting an individual to act as a transportation
4 network company driver on its digital network, the transportation
5 network company shall: (1) Require the individual to submit an
6 application to the company that includes information regarding the
7 individual's name, address, date of birth, motor vehicle operator's
8 license number and motor vehicle registration; (2) (A) conduct, or have
9 a consumer reporting agency regulated under the federal Fair Credit
10 Reporting Act conduct, a driving record check and a local, state and
11 national criminal history records check, including a search of state and
12 national sexual offender registry databases provided such databases
13 are accessible to the public, or (B) arrange for the fingerprinting of the
14 individual to be submitted to the Federal Bureau of Investigation for a
15 national criminal history records check and to the State Police Bureau

16 of Identification for a state criminal history records check conducted in
17 accordance with section 29-17a; and (3) disclose to such individual,
18 electronically or in writing, (A) the insurance coverage, including the
19 types of coverage and any coverage limits, that the company provides
20 while a transportation network company driver is connected to the
21 company's digital network or is engaged in the provision of a
22 prearranged ride, and (B) that a transportation network company
23 driver's personal automobile insurance policy might not provide
24 coverage while such driver is connected to the company's digital
25 network, available to receive a request for a prearranged ride or
26 engaged in the provision of a prearranged ride.

27 (b) A transportation network company shall conduct, or have a
28 consumer reporting agency regulated under the federal Fair Credit
29 Reporting Act conduct, a local, state and national criminal history
30 records check, including a search of state and national sexual offender
31 registry databases, or arrange for the fingerprinting of the individual
32 to be submitted to the Federal Bureau of Investigation for a national
33 criminal history records check and to the State Police Bureau of
34 Identification for a state criminal history records check conducted in
35 accordance with section 29-17a, at least once every three years after
36 permitting an individual to act as a transportation network company
37 driver.

38 (c) (1) No transportation network company shall permit an
39 individual to act as a transportation network company driver on its
40 digital network if such individual: (A) Has, during the three years
41 prior to the date of such individual's application to be a transportation
42 network company driver, (i) committed more than three moving
43 violations, as defined in section 14-111g, (ii) committed one serious
44 traffic violation, as defined in section 14-1, or (iii) had his or her motor
45 vehicle operator's license suspended pursuant to section 14-227b; (B)
46 has been convicted, within seven years prior to the date of such
47 individual's application, of driving under the influence of drugs or
48 alcohol, fraud, sexual offenses, use of a motor vehicle to commit a
49 felony, acts of violence or acts of terror; (C) is included in the state

50 sexual offenders registry or the United States Department of Justice
51 National Sex Offender Public Website; (D) does not possess a motor
52 vehicle operator's license; (E) does not possess proof of registration for
53 each motor vehicle such individual proposes to use as a transportation
54 network company vehicle; or (F) is not at least nineteen years of age.

55 (2) An individual who is permitted to act as a transportation
56 network company driver shall report to the transportation network
57 company not later than twenty-four hours after the occurrence of any
58 of the following incidents: (A) The commission of a fourth moving
59 violation, as defined in section 14-111g, during the past three years; (B)
60 the commission of one serious traffic violation, as defined in section
61 14-1; (C) the suspension of his or her motor vehicle operator's license
62 pursuant to section 14-227b; (D) the conviction of driving under the
63 influence of drugs or alcohol, fraud, sexual offenses, use of a motor
64 vehicle to commit a felony, acts of violence or acts of terror; (E)
65 inclusion in the state sexual offenders registry or the United States
66 Department of Justice National Sex Offender Public Website; (F) failure
67 to possess an operator's license; or (G) failure to possess proof of
68 registration for a transportation network company vehicle. Each
69 transportation network company that receives a report pursuant to this
70 subdivision or becomes aware of such incident shall prohibit the
71 individual from acting as a transportation network company driver on
72 the company's digital network until the individual meets the
73 qualifications of this section to be a transportation network company
74 driver.

75 (d) (1) A transportation network company shall adopt a policy that a
76 transportation network company driver shall not use or be under the
77 influence of drugs or alcohol while the driver is connected to the
78 company's digital network or engaged in the provision of a
79 prearranged ride. The company shall provide notice of such policy on
80 its Internet web site, and include procedures for a transportation
81 network company rider to report a complaint about a driver whom the
82 rider reasonably suspects was using or under the influence of drugs or
83 alcohol while engaged in the provision of a prearranged ride.

84 (2) Upon the company's receipt of a complaint by a rider alleging a
85 violation of such policy, the company shall suspend the driver's access
86 to the company's digital network as soon as possible and conduct an
87 investigation into the reported incident. The suspension shall last until
88 completion of the investigation. If the investigation confirms the driver
89 used or was under the influence of drugs or alcohol while engaged in
90 the provision of a prearranged ride or while connected to the
91 company's digital network, the company shall ban the driver's access
92 to the digital network on a permanent basis.

93 (3) The company shall maintain all records related to the
94 enforcement of such policy for a period of not less than three years
95 from the date that a complaint by a rider is received by the company.

96 (e) A transportation network company shall adopt a policy that
97 prohibits a transportation network company driver from providing a
98 prearranged ride when such driver's ability to operate a transportation
99 network company motor vehicle is impaired by illness, fatigue or any
100 other condition that would likely preclude safe operation of such
101 vehicle.

102 (f) (1) A transportation network company shall adopt a rider safety
103 and security policy. Under the policy, the transportation network
104 company shall:

105 (A) Establish a central telephone number for riders and other
106 individuals to contact the company in an emergency or other situation
107 that threatens a rider's safety or security, including a situation where a
108 rider may be a danger to himself or herself or another individual;

109 (B) Ensure that each transportation network company driver
110 prominently displays the central telephone number in the
111 transportation network company vehicle;

112 (C) Prominently display the central telephone number on the
113 company's Internet web site and digital network;

114 (D) Ensure that calls to the central telephone number are answered
115 immediately with an option for the caller to speak immediately with a
116 representative; and

117 (E) Establish a protocol to provide prompt responses to emergencies
118 and other situations, including guidelines on when the company shall
119 contact the driver or emergency personnel to provide information
120 necessary to address the emergency or other situation.

121 (2) The Commissioner of Transportation may impose a civil penalty
122 of not more than five thousand dollars for failure to adopt or comply
123 with a rider safety and security policy pursuant to subdivision (1) of
124 this subsection.

125 ~~[(f)]~~ (g) A transportation network company driver shall: (1) Comply
126 with all applicable laws regarding nondiscrimination against
127 transportation network company riders or potential transportation
128 network company riders on the basis of age, color, creed, destination,
129 intellectual or physical disability, national origin, race, sex, sexual
130 orientation or gender identity; (2) comply with all applicable laws
131 relating to the accommodation of service animals and accommodate
132 service animals without imposing additional charges for such
133 accommodation; (3) comply with the policies adopted by the
134 transportation network company pursuant to subsection (c) of section
135 13b-118 and subsections (d), ~~[and]~~ (e) and (f) of this section; (4) not
136 impose additional charges for providing prearranged rides to persons
137 with physical disabilities because of such disabilities; and (5) not solicit
138 or accept a request for transportation unless the request is accepted
139 through the transportation network company's digital network.

140 ~~[(g)]~~ (h) (1) Any person who holds himself or herself out to be a
141 transportation network company driver who is not permitted by a
142 transportation network company to use its digital network shall be
143 guilty of a class B misdemeanor.

144 (2) The state shall remit to a municipality fifty per cent of the fine
145 amount received for a violation of subdivision (1) of this subsection

146 with respect to each summons issued by such municipality. Each clerk
147 of the Superior Court or the Chief Court Administrator, or any other
148 official of the Superior Court designated by the Chief Court
149 Administrator, shall, on or before the thirtieth day of January, April,
150 July and October in each year, certify to the Comptroller the amount
151 due for the previous quarter under this subsection to each
152 municipality served by the office of the clerk or official.

153 [(h)] (i) (1) A transportation network company vehicle shall (A) have
154 four doors; (B) not be older than twelve model years old; and (C) be
155 designed to transport no more than eight passengers, including the
156 driver.

157 (2) Before any motor vehicle is used by a transportation network
158 company driver as a transportation network company vehicle, and
159 every two years thereafter, the driver shall certify to the transportation
160 network company that the following equipment is in good working
161 order: (A) Foot brakes; (B) emergency brakes; (C) steering mechanism;
162 (D) windshield; (E) rear window and other glass; (F) windshield
163 wipers; (G) headlights; (H) tail lights; (I) turn indicator lights; (J) brake
164 lights; (K) front seat adjustment mechanism; (L) doors; (M) horn; (N)
165 speedometer; (O) bumpers; (P) muffler and exhaust system; (Q)
166 condition of tires, including tread depth; (R) interior and exterior
167 rearview mirrors; and (S) seat safety belts and air bags for driver and
168 passengers. The transportation network company shall maintain such
169 certification for not less than three years.

170 Sec. 2. Section 13b-116 of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective October 1, 2019*):

172 As used in this section and sections 13b-117 to 13b-120, inclusive:

173 (1) "Transportation network company" means a company,
174 corporation, partnership, trust, association, sole proprietorship or
175 similar organization that operates in this state and uses a digital
176 network to connect transportation network company riders to
177 transportation network company drivers to provide prearranged rides.

178 "Transportation network company" does not include the holder of a
179 certificate of public convenience and necessity issued under the
180 provisions of section 13b-97 to operate a taxicab or the holder of a
181 permit issued under the provision of section 13b-103 to operate a
182 motor vehicle in livery service.

183 (2) "Transportation network company driver" or "driver" means an
184 individual who is not an employee of a transportation network
185 company, but who uses a transportation network company vehicle to
186 provide prearranged rides.

187 (3) "Transportation network company rider" or "rider" means an
188 individual or individuals who use a digital network to connect with a
189 transportation network company driver to receive a prearranged ride
190 between points chosen by the individual or individuals.

191 (4) "Potential transportation network company rider" or "potential
192 rider" means an individual or individuals who use a digital network to
193 request a prearranged ride but have not entered the transportation
194 network company vehicle.

195 (5) "Digital network" means any online-enabled application, web
196 site or system offered or utilized by a transportation network company
197 that enables the provision of prearranged rides.

198 (6) "Prearranged ride" means transport by a transportation network
199 company driver of a transportation network company rider, (A)
200 beginning when the driver accepts a request from the rider through a
201 digital network, (B) continuing while the driver transports the rider,
202 and (C) ending when the last rider exits the transportation network
203 company vehicle.

204 (7) "Transportation network company vehicle" means a motor
205 vehicle as described in subsection [(h)] (i) of section 13b-119, as
206 amended by this act, that is owned, leased or otherwise used by a
207 transportation network company driver when the driver is connected
208 to a digital network or is engaged in the provision of a prearranged

209 ride.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	13b-119
Sec. 2	<i>October 1, 2019</i>	13b-116

Statement of Purpose:

To require any transportation network company to adopt a policy to address rider safety and security.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]