

# HOUSE BILL NO. 2709

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MITTEN.

4542H.021

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 387, RSMo, by adding thereto one new section relating to the dissemination of certain recordings by TNC drivers, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 387, RSMo, is amended by adding thereto one new section, to be known as section 387.437, to read as follows:

**387.437. 1. Except as provided in subsection 3 of this section, no TNC driver shall willfully or intentionally disseminate any recording or video of any TNC rider that is obtained through a prearranged ride. Any signage posted in a TNC vehicle indicating that recordings or videos of prearranged rides may be disseminated does not constitute a waiver by TNC riders for the dissemination of such recordings or videos, and such signage shall not be used as a defense by TNC drivers in any criminal prosecution or civil cause of action brought under the provisions of this section.**

**2. A TNC shall inform, in writing, any TNC driver that if the TNC discovers that a TNC driver disseminated recordings or videos in violation of subsection 1 of this section, such conduct will be reported to the local prosecuting attorney.**

**3. Recordings or videos obtained from a prearranged ride may be disseminated by court order, as necessary to assist in a criminal or civil investigation, or as a defense in a criminal prosecution or civil action.**

**4. (1) A TNC rider shall have a civil cause of action against:**

**(a) A TNC driver who disseminates recordings or videos in violation of subsection 1 of this section; and**

**(b) A TNC that:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **a. Knew or should have known that a TNC driver was disseminating recordings or**  
19 **videos in violation of subsection 1 of this section; or**

20           **b. Failed to give a TNC driver the required information under subsection 2 of this**  
21 **section.**

22           **(2) In a civil cause of action, a TNC rider shall be entitled to recover from the TNC**  
23 **driver and the TNC the following:**

24           **(a) Actual damages;**

25           **(b) Punitive damages; and**

26           **(c) A reasonable attorney's fee and any litigation costs reasonably incurred.**

27           **5. Any TNC driver in violation of subsection 1 of this subsection is guilty of a class**  
28 **A misdemeanor.**

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