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RIDE-SHARE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill amends the Transportation Network Company Registration Act.

Highlighted Provisions:

This bill:

- requires a transportation network company to allow a passenger to notify the driver of oversized luggage or child restraint device; and
- provides that an adult passenger of a transportation network company or a taxicab is responsible for the use of a restraint device or a seatbelt for certain minors under the adult passenger's supervision.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 13-51-105**, as enacted by Laws of Utah 2015, Chapter 461
- 41-6a-1803**, as last amended by Laws of Utah 2017, Chapter 406

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **13-51-105** is amended to read:

13-51-105 . Operating requirements.

- (1) A transportation network company shall maintain an agent for service of process in the state and shall notify the division of the name and address of the agent.
- (2) A transportation network company may collect, on behalf of a transportation network driver, a fare for a prearranged ride if the transportation network company:

- 31 (a) posts the method for calculating the fare on the transportation network company's
32 software application;
- 33 (b) provides a passenger the rate used to calculate the fare for a prearranged ride; and
34 (c) allows a passenger the option to obtain an estimated fare for a prearranged ride
35 before the passenger enters a transportation network driver's vehicle.
- 36 (3) For each prearranged ride, a transportation network company shall:
- 37 (a) before a passenger enters a transportation network driver's vehicle, display on the
38 transportation network company's software application a picture of the transportation
39 network driver; [~~and~~]
- 40 (b) shortly after the prearranged ride is complete, transmit an electronic receipt to the
41 passenger that lists:
- 42 (i) the prearranged ride's origin and destination;
43 (ii) the prearranged ride's total time and distance; and
44 (iii) an itemization of the total fare the passenger paid, if any[-] ; and
- 45 (c) allow a passenger to notify a transportation network driver if a passenger has skis, a
46 snowboard, other oversize luggage, or child restraint device.
- 47 (4) A transportation network driver may not, while providing transportation network
48 services:
- 49 (a) provide a ride to an individual who requests the ride by a means other than a
50 transportation network company's software application;
51 (b) solicit or accept cash payments from a passenger; or
52 (c) accept any means of payment other than payment through a transportation network
53 company's software application.
- 54 (5) A transportation network company shall maintain a record of:
- 55 (a) all trips, for a minimum of five years after the day on which the trip occurred; and
56 (b) all information in a transportation network company's possession regarding a
57 transportation network driver, for a minimum of five years after the day on which the
58 transportation network driver last provided transportation network services using the
59 transportation network company's software application.
- 60 (6) A transportation network company shall adopt a policy that prohibits unlawful
61 discrimination with respect to a passenger and shall:
- 62 (a) provide a copy of the policy to each transportation network driver; or
63 (b) post the policy on the transportation network company's website.
- 64 (7) (a) A transportation network driver shall accommodate:

- 65 (i) a service animal; or
66 (ii) an individual with a physical disability.
- 67 (b) A transportation network driver or transportation network company may not impose
68 an additional charge to provide the accommodations described in Subsections (7)(a)
69 and (8).
- 70 (8) A transportation network company shall:
- 71 (a) allow a passenger to request a prearranged ride in a wheelchair-accessible vehicle;
72 and
- 73 (b) if a wheelchair-accessible vehicle is not available to a passenger who requests a
74 wheelchair-accessible vehicle under Subsection (8)(a), direct the passenger to a
75 transportation service that provides wheelchair-accessible service, if available.
- 76 (9) A transportation network company shall disclose to a transportation network driver:
- 77 (a) a description of the insurance coverage the transportation network company provides
78 the transportation network driver while the transportation network driver is providing
79 transportation network services, including the insurance coverage's liability limit;
- 80 (b) that the transportation network company's personal automobile insurance policy may
81 not provide coverage to the transportation network driver during a waiting period or a
82 prearranged ride;
- 83 (c) that if the vehicle the transportation network driver uses to provide transportation
84 network services has a lien against the vehicle, the transportation network driver is
85 required to notify the lienholder that the transportation network driver is using the
86 vehicle to provide transportation network services; and
- 87 (d) that using a vehicle with a lien against the vehicle to provide transportation network
88 services may violate the transportation network driver's contract with the lienholder.
- 89 (10) A transportation network company and the transportation network company's insurer
90 shall, for an incident that occurs while a transportation network driver is providing
91 transportation network services:
- 92 (a) cooperate with a liability insurer that insures the vehicle the transportation network
93 driver uses to provide the transportation network services;
- 94 (b) provide, to the liability insurer, the precise date and time that an incident occurred,
95 including the precise time when a driver logged in or out of the transportation
96 network company's software application; and
- 97 (c) provide the information described in Subsection (10)(b) to a liability insurer no later
98 than 10 business days after the day on which the liability insurer requests the

99 information from the transportation network company.

100 (11) If a transportation network company's insurer insures a vehicle with a lien against the
 101 vehicle, and the transportation network company's insurer covers a claim regarding the
 102 vehicle under comprehensive or collision coverage, the transportation network company
 103 shall direct the transportation network company's insurer to issue the payment for the
 104 claim:

- 105 (a) directly to the person that is repairing the vehicle; or
- 106 (b) jointly to the owner of the vehicle and the primary lienholder.

107 Section 2. Section **41-6a-1803** is amended to read:

108 **41-6a-1803 . Driver and passengers -- Seat belt or child restraint device required.**

109 (1) (a) [The] Except as provided in Subsection (1)(c), the operator of a motor vehicle
 110 operated on a highway shall:

- 111 (i) wear a properly adjusted and fastened safety belt;
- 112 (ii) provide for the protection of each person younger than eight years [of age] old by
 113 using a child restraint device to restrain each person in the manner prescribed by
 114 the manufacturer of the device; and
- 115 (iii) provide for the protection of each person that is at least eight years [of age up to]
 116 old and no less than 16 years [of age] old by securing, or causing to be secured, a
 117 properly adjusted and fastened safety belt on each person.

118 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight
 119 years [of age] old who is 57 inches tall or taller:

- 120 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint
 121 device; and
- 122 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection
 123 (1)(a)(iii).

124 (c) An adult passenger who is utilizing transportation network services described in
 125 Section 13-51-102 or a taxicab described in Section 53-3-102 shall:

- 126 (i) provide for the protection of each person younger than eight years old who is
 127 under the adult's supervision by using a child restraint device to restrain the person
 128 in the manner prescribed by the manufacturer of the device; and
- 129 (ii) provide for the protection of each person who is under the adult's supervision and
 130 is at least eight years old and no less than 16 years old by securing, or causing to
 131 be secured, a properly adjusted and fastened safety belt on the person.

132 (2) A person 16 years [of age] old or older who is a passenger in a motor vehicle operated

133 on a highway shall wear a properly adjusted and fastened safety belt.
134 (3) If more than one person is not using a child restraint device or wearing a safety belt in
135 violation of Subsection (1), it is considered only one offense, and the driver may receive
136 only one citation for that offense.

137 Section 3. **Effective date.**

138 This bill takes effect on May 1, 2024.