

**Representative Melissa G. Ballard** proposes the following substitute bill:

**RIDE-SHARE AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: Wayne A. Harper

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**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 oversize luggage;

▸ requires a transportation network company to notify passengers of child restraint device requirements; 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



26 **41-6a-1803**, as last amended by Laws of Utah 2017, Chapter 406

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

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

30 **13-51-105. Operating requirements.**

31 (1) A transportation network company shall maintain an agent for service of process in  
32 the state and shall notify the division of the name and address of the agent.

33 (2) A transportation network company may collect, on behalf of a transportation  
34 network driver, a fare for a prearranged ride if the transportation network company:

35 (a) posts the method for calculating the fare on the transportation network company's  
36 software application;

37 (b) provides a passenger the rate used to calculate the fare for a prearranged ride; and

38 (c) allows a passenger the option to obtain an estimated fare for a prearranged ride  
39 before the passenger enters a transportation network driver's vehicle.

40 (3) For each prearranged ride, a transportation network company shall:

41 (a) before a passenger enters a transportation network driver's vehicle, display on the  
42 transportation network company's software application a picture of the transportation network  
43 driver; ~~and~~

44 (b) shortly after the prearranged ride is complete, transmit an electronic receipt to the  
45 passenger that lists:

46 (i) the prearranged ride's origin and destination;

47 (ii) the prearranged ride's total time and distance; and

48 (iii) an itemization of the total fare the passenger paid, if any[.]; ~~and~~

49 (c) allow a passenger to notify a transportation network driver if a passenger has skis, a  
50 snowboard, ~~or~~ other oversize luggage, ~~or~~ , or child restraint device.

51 ~~(d) provide the passenger with a link to current federal and state law relating to child  
52 restraint devices; and~~

53 ~~(e) notify the passenger that an adult traveling with a child is responsible for providing  
54 and installing a child restraint device when needed.~~

55 (4) A transportation network driver may not, while providing transportation network  
56 services:

57 (a) provide a ride to an individual who requests the ride by a means other than a  
58 transportation network company's software application;

59 (b) solicit or accept cash payments from a passenger; or

60 (c) accept any means of payment other than payment through a transportation network  
61 company's software application.

62 (5) A transportation network company shall maintain a record of:

63 (a) all trips, for a minimum of five years after the day on which the trip occurred; and

64 (b) all information in a transportation network company's possession regarding a  
65 transportation network driver, for a minimum of five years after the day on which the  
66 transportation network driver last provided transportation network services using the  
67 transportation network company's software application.

68 (6) A transportation network company shall adopt a policy that prohibits unlawful  
69 discrimination with respect to a passenger and shall:

70 (a) provide a copy of the policy to each transportation network driver; or

71 (b) post the policy on the transportation network company's website.

72 (7) (a) A transportation network driver shall accommodate:

73 (i) a service animal; or

74 (ii) an individual with a physical disability.

75 (b) A transportation network driver or transportation network company may not impose  
76 an additional charge to provide the accommodations described in Subsections (7)(a) and (8).

77 (8) A transportation network company shall:

78 (a) allow a passenger to request a prearranged ride in a wheelchair-accessible vehicle;

79 and

80 (b) if a wheelchair-accessible vehicle is not available to a passenger who requests a  
81 wheelchair-accessible vehicle under Subsection (8)(a), direct the passenger to a transportation  
82 service that provides wheelchair-accessible service, if available.

83 (9) A transportation network company shall disclose to a transportation network driver:

84 (a) a description of the insurance coverage the transportation network company  
85 provides the transportation network driver while the transportation network driver is providing  
86 transportation network services, including the insurance coverage's liability limit;

87 (b) that the transportation network company's personal automobile insurance policy

88 may not provide coverage to the transportation network driver during a waiting period or a  
89 prearranged ride;

90 (c) that if the vehicle the transportation network driver uses to provide transportation  
91 network services has a lien against the vehicle, the transportation network driver is required to  
92 notify the lienholder that the transportation network driver is using the vehicle to provide  
93 transportation network services; and

94 (d) that using a vehicle with a lien against the vehicle to provide transportation network  
95 services may violate the transportation network driver's contract with the lienholder.

96 (10) A transportation network company and the transportation network company's  
97 insurer shall, for an incident that occurs while a transportation network driver is providing  
98 transportation network services:

99 (a) cooperate with a liability insurer that insures the vehicle the transportation network  
100 driver uses to provide the transportation network services;

101 (b) provide, to the liability insurer, the precise date and time that an incident occurred,  
102 including the precise time when a driver logged in or out of the transportation network  
103 company's software application; and

104 (c) provide the information described in Subsection (10)(b) to a liability insurer no  
105 later than 10 business days after the day on which the liability insurer requests the information  
106 from the transportation network company.

107 (11) If a transportation network company's insurer insures a vehicle with a lien against  
108 the vehicle, and the transportation network company's insurer covers a claim regarding the  
109 vehicle under comprehensive or collision coverage, the transportation network company shall  
110 direct the transportation network company's insurer to issue the payment for the claim:

111 (a) directly to the person that is repairing the vehicle; or

112 (b) jointly to the owner of the vehicle and the primary lienholder.

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

114 **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

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

117 (i) wear a properly adjusted and fastened safety belt;

118 (ii) provide for the protection of each person younger than eight years [~~of age~~] old by

119 using a child restraint device to restrain each person in the manner prescribed by the  
120 manufacturer of the device; and

121 (iii) provide for the protection of each person that is at least eight years [of age up to]  
122 old and no less than 16 years [of age] old by securing, or causing to be secured, a properly  
123 adjusted and fastened safety belt on each person.

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

126 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint  
127 device; and

128 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection  
129 (1)(a)(iii).

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

132 (i) provide for the protection of each person younger than eight years old who is under  
133 the adult's supervision by using a child restraint device to restrain the person in the manner  
134 prescribed by the manufacturer of the device; and

135 (ii) provide for the protection of each person who is under the adult's supervision and is  
136 at least eight years old and no less than 16 years old by securing, or causing to be secured, a  
137 properly adjusted and fastened safety belt on the person.

138 (2) A person 16 years [of age] old or older who is a passenger in a motor vehicle  
139 operated on a highway shall wear a properly adjusted and fastened safety belt.

140 (3) If more than one person is not using a child restraint device or wearing a safety belt  
141 in violation of Subsection (1), it is considered only one offense, and the driver may receive  
142 only one citation for that offense.

143 Section 3. **Effective date.**

144 This bill takes effect on May 1, 2024.