



General Assembly

Amendment

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LCO No. 6917



Offered by:

REP. SCANLON, 98th Dist.

SEN. LARSON, 3rd Dist.

To: Subst. House Bill No. 7126

File No. 328

Cal. No. 243

**"AN ACT CONCERNING MOTOR VEHICLES IN LIVERY SERVICE,
TAXICABS AND TRANSPORTATION NETWORK COMPANIES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2017*) As used in this section
4 and sections 2 to 5, inclusive, of this act:

5 (1) "Transportation network company" means a company,
6 corporation, partnership, trust, association, sole proprietorship or
7 similar organization that operates in this state and uses a digital
8 network to connect transportation network company riders to
9 transportation network company drivers to provide prearranged rides.
10 "Transportation network company" does not include the holder of a
11 certificate of public convenience and necessity issued under the
12 provisions of section 13b-97 of the general statutes to operate a taxicab
13 or the holder of a permit issued under the provision of section 13b-103
14 of the general statutes, as amended by this act, to operate a motor

15 vehicle in livery service.

16 (2) "Transportation network company driver" or "driver" means an
17 individual who is not an employee of a transportation network
18 company, but who uses a transportation network company vehicle to
19 provide prearranged rides.

20 (3) "Transportation network company rider" or "rider" means an
21 individual or individuals who use a digital network to connect with a
22 transportation network company driver to receive a prearranged ride
23 between points chosen by the individual or individuals.

24 (4) "Potential transportation network company rider" or "potential
25 rider" means an individual or individuals who use a digital network to
26 request a prearranged ride but have not entered the transportation
27 network company vehicle.

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

31 (6) "Prearranged ride" means transport by a transportation network
32 company driver of a transportation network company rider, (A)
33 beginning when the driver accepts a request from the rider through a
34 digital network, (B) continuing while the driver transports the rider,
35 and (C) ending when the last rider exits the transportation network
36 company vehicle.

37 (7) "Transportation network company vehicle" means a motor
38 vehicle as described in subsection (h) of section 4 of this act that is
39 owned, leased or otherwise used by a transportation network
40 company driver when the driver is connected to a digital network or is
41 engaged in the provision of a prearranged ride.

42 Sec. 2. (NEW) (*Effective January 1, 2018*) (a) On and after January 1,
43 2018, each transportation network company shall register annually
44 with the Commissioner of Transportation on a form prescribed by the

45 commissioner. The registration form shall include: (1) The
46 transportation network company's name, business address and
47 telephone number; (2) if the company is registered in another state, the
48 name, address and telephone number of the company's agent for
49 service of process in this state; (3) the name, address and telephone
50 number of a person at the company who will serve as the main contact
51 person for the commissioner; and (4) information sufficient to
52 demonstrate, to the commissioner's satisfaction, that the company is in
53 compliance with the provisions of this section and sections 3 to 5,
54 inclusive, of this act and any regulations adopted pursuant to
55 subsection (j) of section 3 of this act. Each transportation network
56 company seeking initial registration shall submit with its registration
57 form filed under this section a nonrefundable registration fee of fifty
58 thousand dollars. Each registration shall be renewed annually. The
59 nonrefundable fee for such renewal shall be five thousand dollars. The
60 registrant shall file amendments to the registration reporting to the
61 commissioner any material changes in any information contained in
62 the registration not later than thirty calendar days after the registrant
63 knows or reasonably should know of the change.

64 (b) The commissioner may suspend, revoke or refuse to renew a
65 registration issued pursuant to this subsection if the commissioner
66 determines the transportation network company intentionally: (1)
67 Misled, deceived or defrauded the public or the commissioner; (2)
68 engaged in any untruthful or misleading advertising; (3) engaged in
69 unfair or deceptive business practices; or (4) violated any provision of
70 this section and sections 3 to 5, inclusive, of this act or any regulations
71 adopted pursuant to subsection (j) of section 3 of this act. Prior to the
72 suspension, revocation or nonrenewal of the registration, the
73 transportation network company shall be given notice and an
74 opportunity for a hearing. Such hearing shall be held in accordance
75 with the provisions of chapter 54 of the general statutes. Any
76 transportation network company whose registration has been
77 suspended may, after ninety days, apply to the commissioner to have
78 such registration reinstated.

79 (c) Any transportation network company that operates in this state
80 without a valid registration or when such registration has been
81 suspended shall be fined not more than fifty thousand dollars.

82 Sec. 3. (NEW) (*Effective October 1, 2017*) (a) (1) After a potential
83 transportation network company rider submits a request for a
84 prearranged ride, the transportation network company shall display to
85 the rider through its digital network a picture of the transportation
86 network company driver and the license plate number of the
87 transportation network company vehicle that will be used to provide
88 the prearranged ride before the rider enters such vehicle.

89 (2) A transportation network company driver shall display on a
90 transportation network company vehicle a removable decal at all times
91 when the driver is connected to a digital network or is engaged in the
92 provision of a prearranged ride. Such decal shall be: (A) Issued by the
93 transportation network company; (B) sufficiently large so as to be
94 readable during daylight hours at a distance of at least fifty feet; and
95 (C) reflective, illuminated or otherwise visible in darkness.

96 (b) (1) A transportation network company may charge a fare to a
97 transportation network company rider for a prearranged ride provided
98 the company discloses such fare to the rider through its digital
99 network: (A) The fare or fare calculation method; (B) the applicable
100 rates being charged; and (C) an option to receive an estimated fare
101 before a prearranged ride.

102 (2) Within a reasonable period of time following the completion of a
103 prearranged ride, a transportation network company shall transmit an
104 electronic receipt to the transportation network company rider on
105 behalf of the transportation network company driver that lists: (A) The
106 origin and destination of the prearranged ride; (B) the total time and
107 distance of the prearranged ride; and (C) an itemization of the total
108 fare paid, if any.

109 (3) No transportation network company driver shall solicit or accept
110 cash payments for fares from transportation network company riders.

111 Any payment for a prearranged ride shall be made only through the
112 transportation network company's digital network.

113 (4) (A) For the purposes of this subdivision, "dynamic pricing"
114 means offering a prearranged ride at a price that changes according to
115 the demand for prearranged rides and availability of transportation
116 network company drivers.

117 (B) If a transportation network company elects to implement
118 dynamic pricing, the transportation network company, through its
119 digital network, shall: (i) Provide notice to a potential transportation
120 network company rider that dynamic pricing is in effect before a
121 request for a prearranged ride may be submitted; (ii) provide a fare
122 estimator that enables the potential rider to estimate the cost of such
123 prearranged ride under dynamic pricing; and (iii) include a feature
124 that requires the potential rider to confirm that he or she understands
125 that dynamic pricing will be applied to the cost of such prearranged
126 ride.

127 (C) No transportation network company shall increase the price of a
128 prearranged ride to more than two and one-half times the usual price
129 charged for such prearranged ride in an area which is the subject of
130 any disaster emergency declaration issued by the Governor pursuant
131 to chapter 517 of the general statutes, any transportation emergency
132 declaration issued by the Governor pursuant to section 3-6b of the
133 general statutes or any major disaster or emergency declaration issued
134 by the President of the United States.

135 (c) A transportation network company shall adopt a policy of
136 nondiscrimination on the basis of the age, color, creed, destination,
137 intellectual or physical disability, national origin, race, sex, sexual
138 orientation or gender identity with respect to transportation network
139 company riders, potential transportation network company riders and
140 transportation network company drivers. A transportation network
141 company shall notify all drivers who use the company's digital
142 network of such policy.

143 (d) A transportation network company shall provide a potential
144 transportation network company rider with an opportunity to indicate
145 whether such rider requires a transportation network company vehicle
146 that is accessible by wheelchair. If a transportation network company
147 cannot arrange for a wheelchair-accessible transportation network
148 company vehicle to provide a prearranged ride, the company shall
149 direct the potential transportation network company rider to an
150 alternate provider of wheelchair-accessible transportation, if available.

151 (e) (1) A transportation network company shall maintain: (A) The
152 record of each prearranged ride for a period of not less than three
153 years from the date the prearranged ride was provided; (B) records
154 regarding each transportation network company driver for a period of
155 not less than three years from the date on which the transportation
156 network company driver last connected to the company's digital
157 network; and (C) records regarding each transportation network
158 company vehicle for a period of not less than three years from the date
159 on which the transportation network company vehicle was last used to
160 provide a prearranged ride.

161 (2) The Commissioner of Transportation or the commissioner's
162 designee, upon reasonable written notice and not more than four times
163 a year, may audit the records maintained by a transportation network
164 company pursuant to subdivision (1) of this subsection and
165 subdivision (3) of subsection (d) of section 4 of this act. Each such audit
166 shall occur at a transportation network company's place of business or
167 at a location in this state jointly selected by the commissioner or the
168 commissioner's designee and the transportation network company.
169 The commissioner or the commissioner's designee shall not require a
170 transportation network company to disclose information that identifies
171 or would tend to identify any transportation network company driver
172 or transportation network company rider, unless the identity of the
173 driver or rider is needed to resolve a complaint or investigate an audit
174 finding to ensure compliance with any provision of the general
175 statutes and any regulations adopted pursuant to subsection (j) of this
176 section.

177 (3) Any records obtained during an audit pursuant to subdivision
178 (3) of this subsection shall be confidential and not subject to disclosure
179 under the Freedom of Information Act, as defined in section 1-200 of
180 the general statutes, except that the Commissioner of Transportation
181 may disclose such records: (A) To law enforcement for law
182 enforcement purposes, provided such disclosure is made in
183 cooperation with the transportation network company, (B) to any state
184 or federal agency for any action undertaken by the commissioner to
185 enforce the provisions of this section or any regulation adopted
186 pursuant to subsection (j) of this section, (C) at the request of any state
187 or federal agency conducting an audit or investigation pursuant to
188 such agency's legal authority, provided the commissioner gives the
189 transportation network company an opportunity to object and propose
190 an alternative method of cooperation with such disclosure, or (D)
191 pursuant to a court order. If the commissioner discloses such records
192 pursuant to this subdivision, the commissioner shall (i) provide
193 written notice to the transportation network company prior to
194 disclosing such company's records, and (ii) redact any information that
195 is not required to be disclosed pursuant to subsection (b) of section 1-
196 210 of the general statutes, including, but not limited to, any trade
197 secret or commercial or financial information described in subdivision
198 (5) of said subsection, unless such disclosure is expressly required
199 under subparagraph (A), (B), (C) or (D) of this subdivision.

200 (f) A transportation network company shall not disclose any
201 transportation network company rider's personally identifiable
202 information, except pursuant to the publicly disclosed terms of the
203 company's privacy policy, if any. For any disclosure not governed by a
204 transportation network company's privacy policy, the company must
205 obtain a transportation network company rider's consent before the
206 company may disclose the rider's personally identifiable information.

207 (g) No transportation network company driver shall use a digital
208 network or provide prearranged rides for more than: (1) Fourteen
209 consecutive hours; or (2) sixteen hours within a twenty-four-hour
210 period.

211 (h) The Commissioner of Motor Vehicles shall not require a
212 transportation network company driver to: (1) Obtain a commercial
213 driver's license or commercial driver's instruction permit pursuant to
214 section 14-44c of the general statutes; or (2) register the driver's
215 transportation network company vehicle as a commercial vehicle.

216 (i) (1) For the purposes of this subsection, "certificate or permit
217 holder" means any person, association, limited liability company or
218 corporation that holds a certificate of public convenience and necessity
219 to operate a taxicab, as described in section 13b-97 of the general
220 statutes or holds a permit to operate a motor vehicle in livery service,
221 as described in section 13b-103 of the general statutes, as amended by
222 this act.

223 (2) In no event may a certificate or permit holder use or allow to be
224 used a motor vehicle operated as a taxicab or motor vehicle in livery
225 service to also be used or operated as a transportation network
226 company vehicle.

227 (j) The Commissioner of Transportation may adopt regulations, in
228 accordance with the provisions of chapter 54 of the general statutes, to
229 implement the provisions of this section.

230 Sec. 4. (NEW) (*Effective January 1, 2018*) (a) Prior to permitting an
231 individual to act as a transportation network company driver on its
232 digital network, the transportation network company shall: (1) Require
233 the individual to submit an application to the company that includes
234 information regarding the individual's name, address, date of birth,
235 motor vehicle operator's license number and motor vehicle
236 registration; (2) (A) conduct, or have a consumer reporting agency
237 regulated under the federal Fair Credit Reporting Act conduct, a
238 driving record check and a local, state and national criminal history
239 records check, including a search of state and national sexual offender
240 registry databases provided such databases are accessible to the public,
241 or (B) arrange for the fingerprinting of the individual to be submitted
242 to the Federal Bureau of Investigation for a national criminal history

243 records check and to the State Police Bureau of Identification for a state
244 criminal history records check conducted in accordance with section
245 29-17a of the general statutes; and (3) disclose to such individual,
246 electronically or in writing, (A) the insurance coverage, including the
247 types of coverage and any coverage limits, that the company provides
248 while a transportation network company driver is connected to the
249 company's digital network or is engaged in the provision of a
250 prearranged ride, and (B) that a transportation network company
251 driver's personal automobile insurance policy might not provide
252 coverage while such driver is connected to the company's digital
253 network, available to receive a request for a prearranged ride or
254 engaged in the provision of a prearranged ride.

255 (b) A transportation network company shall conduct, or have a
256 consumer reporting agency regulated under the federal Fair Credit
257 Reporting Act conduct, a local, state and national criminal history
258 records check, including a search of state and national sexual offender
259 registry databases, or arrange for the fingerprinting of the individual
260 to be submitted to the Federal Bureau of Investigation for a national
261 criminal history records check and to the State Police Bureau of
262 Identification for a state criminal history records check conducted in
263 accordance with section 29-17a of the general statutes, at least once
264 every three years after permitting an individual to act as a
265 transportation network company driver.

266 (c) (1) No transportation network company shall permit an
267 individual to act as a transportation network company driver on its
268 digital network if such individual: (A) Has, during the three years
269 prior to the date of such individual's application to be a transportation
270 network company driver, (i) committed more than three moving
271 violations, as defined in section 14-111g of the general statutes, (ii)
272 committed one serious traffic violation, as defined in section 14-1 of the
273 general statutes, or (iii) had his or her motor vehicle operator's license
274 suspended pursuant to section 14-227b of the general statutes; (B) has
275 been convicted, within seven years prior to the date of such
276 individual's application, of driving under the influence of drugs or

277 alcohol, fraud, sexual offenses, use of a motor vehicle to commit a
278 felony, acts of violence or acts of terror; (C) is included in the state
279 sexual offenders registry or the United States Department of Justice
280 National Sex Offender Public Website; (D) does not possess a motor
281 vehicle operator's license; (E) does not possess proof of registration for
282 each motor vehicle such individual proposes to use as a transportation
283 network company vehicle; or (F) is not at least nineteen years of age.

284 (2) An individual who is permitted to act as a transportation
285 network company driver shall report to the transportation network
286 company not later than twenty-four hours after the occurrence of any
287 of the following incidents: (A) The commission of a fourth moving
288 violation, as defined in section 14-111g of the general statutes, during
289 the past three years; (B) the commission of one serious traffic violation,
290 as defined in section 14-1 of the general statutes; (C) the suspension of
291 his or her motor vehicle operator's license pursuant to section 14-227b
292 of the general statutes; (D) the conviction of driving under the
293 influence of drugs or alcohol, fraud, sexual offenses, use of a motor
294 vehicle to commit a felony, acts of violence or acts of terror; (E)
295 inclusion in the state sexual offenders registry or the United States
296 Department of Justice National Sex Offender Public Website; (F) failure
297 to possess an operator's license; or (G) failure to possess proof of
298 registration for a transportation network company vehicle. Each
299 transportation network company that receives a report pursuant to this
300 subdivision or becomes aware of such incident shall prohibit the
301 individual from acting as a transportation network company driver on
302 the company's digital network until the individual meets the
303 qualifications of this section to be a transportation network company
304 driver.

305 (d) (1) A transportation network company shall adopt a policy that a
306 transportation network company driver shall not use or be under the
307 influence of drugs or alcohol while the driver is connected to the
308 company's digital network or engaged in the provision of a
309 prearranged ride. The company shall provide notice of such policy on
310 its Internet web site, and include procedures for a transportation

311 network company rider to report a complaint about a driver whom the
312 rider reasonably suspects was using or under the influence of drugs or
313 alcohol while engaged in the provision of a prearranged ride.

314 (2) Upon the company's receipt of a complaint by a rider alleging a
315 violation of such policy, the company shall suspend the driver's access
316 to the company's digital network as soon as possible and conduct an
317 investigation into the reported incident. The suspension shall last until
318 completion of the investigation. If the investigation confirms the driver
319 used or was under the influence of drugs or alcohol while engaged in
320 the provision of a prearranged ride or while connected to the
321 company's digital network, the company shall ban the driver's access
322 to the digital network on a permanent basis.

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

326 (e) A transportation network company shall adopt a policy that
327 prohibits a transportation network company driver from providing a
328 prearranged ride when such driver's ability to operate a transportation
329 network company motor vehicle is impaired by illness, fatigue or any
330 other condition that would likely preclude safe operation of such
331 vehicle.

332 (f) A transportation network company driver shall: (1) Comply with
333 all applicable laws regarding nondiscrimination against transportation
334 network company riders or potential transportation network company
335 riders on the basis of age, color, creed, destination, intellectual or
336 physical disability, national origin, race, sex, sexual orientation or
337 gender identity; (2) comply with all applicable laws relating to the
338 accommodation of service animals and accommodate service animals
339 without imposing additional charges for such accommodation; (3)
340 comply with the policies adopted by the transportation network
341 company pursuant to subsection (c) of section 3 of this act and
342 subsections (d) and (e) of this section; (4) not impose additional

343 charges for providing prearranged rides to persons with physical
344 disabilities because of such disabilities; and (5) not solicit or accept a
345 request for transportation unless the request is accepted through the
346 transportation network company's digital network.

347 (g) (1) Any person who holds himself or herself out to be a
348 transportation network company driver who is not permitted by a
349 transportation network company to use its digital network shall be
350 guilty of a class B misdemeanor.

351 (2) The state shall remit to a municipality fifty per cent of the fine
352 amount received for a violation of subdivision (1) of this subsection
353 with respect to each summons issued by such municipality. Each clerk
354 of the Superior Court or the Chief Court Administrator, or any other
355 official of the Superior Court designated by the Chief Court
356 Administrator, shall, on or before the thirtieth day of January, April,
357 July and October in each year, certify to the Comptroller the amount
358 due for the previous quarter under this subsection to each
359 municipality served by the office of the clerk or official.

360 (h) (1) A transportation network company vehicle shall (A) have
361 four doors; (B) not be older than twelve model years old; and (C) be
362 designed to transport no more than eight passengers, including the
363 driver.

364 (2) Before any motor vehicle is used by a transportation network
365 company driver as a transportation network company vehicle, and
366 every two years thereafter, the driver shall certify to the transportation
367 network company that the following equipment is in good working
368 order: (A) Foot brakes; (B) emergency brakes; (C) steering mechanism;
369 (D) windshield; (E) rear window and other glass; (F) windshield
370 wipers; (G) headlights; (H) tail lights; (I) turn indicator lights; (J) brake
371 lights; (K) front seat adjustment mechanism; (L) doors; (M) horn; (N)
372 speedometer; (O) bumpers; (P) muffler and exhaust system; (Q)
373 condition of tires, including tread depth; (R) interior and exterior
374 rearview mirrors; and (S) seat safety belts and air bags for driver and

375 passengers. The transportation network company shall maintain such
376 certification for not less than three years.

377 Sec. 5. (NEW) (*Effective January 1, 2018*) (a) A transportation network
378 company driver or a transportation network company on the driver's
379 behalf shall procure and maintain an automobile liability insurance
380 policy that recognizes that the driver is a transportation network
381 company driver and provides coverage for the driver as follows:

382 (1) For the period during which the driver is connected to the
383 transportation network company's digital network and is available to
384 receive requests for prearranged rides but is not engaged in the
385 provision of a prearranged ride: (A) Automobile liability insurance
386 coverage of at least (i) fifty thousand dollars for damages by reason of
387 bodily injury to, or the death of, any one person, (ii) one hundred
388 thousand dollars for damages by reason of bodily injury or death per
389 accident, and (iii) twenty-five thousand dollars for property damage;
390 and (B) uninsured and underinsured motorist coverage in accordance
391 with the provisions of section 38a-336 of the general statutes; and

392 (2) For the period during which the driver is engaged in the
393 provision of a prearranged ride: (A) Automobile liability insurance
394 coverage of at least one million dollars for damages by reason of
395 bodily injury, death or property damage per accident; and (B)
396 uninsured and underinsured motorist coverage in accordance with the
397 provisions of section 38a-336 of the general statutes.

398 (b) The coverage requirements of subsection (a) of this section may
399 be satisfied by an automobile liability insurance policy maintained by a
400 transportation network company driver or the transportation network
401 company or a combination of both. Nothing in this section shall be
402 construed to: (1) Require an insurance company that issues automobile
403 liability insurance policies in this state to issue automobile liability
404 insurance policies that provide the coverage specified under
405 subsection (a) of this section, or (2) preclude an insurance company
406 from providing primary or excess coverage by contract or

407 endorsement for a transportation network company vehicle.

408 (c) If an automobile liability insurance policy maintained by a
409 transportation network company driver has lapsed or does not
410 provide the coverage required under subsection (a) of this section, the
411 transportation network company's automobile liability insurance
412 policy shall provide such coverage, beginning with the first dollar of a
413 claim, and the insurance company issuing such policy shall have the
414 duty to defend a claim that arises while the driver is connected to the
415 transportation network company's digital network or is engaged in the
416 provision of a prearranged ride.

417 (d) Coverage under an automobile liability insurance policy
418 maintained by a transportation network company shall not be
419 contingent on another insurance company first denying a claim, nor
420 shall such other insurance company be required to first deny a claim.

421 (e) A transportation network company may procure the coverage
422 required under subsection (a) of this section from: (1) An insurance
423 company authorized to do business in this state, or (2) a surplus lines
424 insurer that has at least an A minus credit rating by A.M. Best or an A
425 or similar credit rating by another rating agency approved by the
426 Insurance Commissioner. Any such insurance company or surplus
427 lines insurer shall comply with the provisions of subsection (a) of
428 section 38a-318a of the general statutes.

429 (f) (1) A transportation network company driver shall carry proof of
430 insurance satisfying the coverage required under subsection (a) of this
431 section at all times during the driver's use of a transportation network
432 company vehicle while connected to a transportation network
433 company's digital network or engaged in the provision of a
434 prearranged ride. The transportation network company shall ensure it
435 provides such proof of insurance to all of its drivers to whom such
436 transportation network company is providing such coverage.

437 (2) In the event of an accident, a transportation network company
438 driver shall provide such proof of insurance coverage to the directly

439 interested parties, insurance companies and investigating police
440 officers. A transportation network company driver shall disclose, upon
441 request, to directly interested parties, insurance companies and
442 investigating police officers whether the driver was connected to the
443 transportation network company's digital network or was engaged in
444 the provision of a prearranged ride at the time of the accident.

445 (3) In any claims coverage investigation, a transportation network
446 company shall immediately provide, upon a request from a directly
447 involved party or the transportation network company driver's
448 insurance company, the precise times the driver was connected to and
449 disconnected from the transportation network company's digital
450 network in the twelve-hour periods immediately preceding and
451 immediately following the accident. An insurance company providing
452 any coverage required under subsection (a) of this section shall
453 disclose, upon request by any other insurance company providing any
454 coverage required under said subsection, the applicable coverages,
455 exclusions and limits under the automobile liability insurance policy
456 issued to satisfy the coverage requirements under said subsection.

457 (g) Notwithstanding the provisions of sections 14-112, 38a-334, 38a-
458 335 and 38a-336 of the general statutes, an insurance company that
459 offers automobile liability insurance coverage in this state may offer
460 automobile liability insurance policies to individuals that exclude any
461 or all coverage afforded under such policies for any loss or injury that
462 occurs during the period an insured is connected to a transportation
463 network company's digital network and available to receive requests
464 for prearranged rides or engaged in the provision of a prearranged
465 ride. Such exclusions may include, but are not limited to: (1) Liability
466 coverage for bodily injury, death or property damage; (2) personal
467 injury protection coverage; (3) uninsured and underinsured motorist
468 coverage; (4) medical payments coverage; (5) collision physical
469 damage coverage; or (6) comprehensive physical damage coverage.
470 Nothing in this subsection shall be construed to require an insurance
471 company that clearly and conspicuously discloses such exclusions to
472 use any particular policy language or reference to this subsection to

473 exclude any or all coverage pursuant to this subsection.

474 (h) (1) An insurance company that excludes coverage pursuant to
475 subsection (g) of this section shall have no duty to defend or indemnify
476 any claim against a transportation network company driver for which
477 coverage is expressly excluded in such driver's automobile liability
478 insurance policy. If an insurance company defends or indemnifies a
479 claim against a transportation network company driver for which
480 coverage is expressly excluded in such driver's automobile liability
481 insurance policy, the insurance company shall have a right of
482 subrogation against other insurance companies that provide
483 automobile liability insurance coverage to such driver to satisfy the
484 requirements of subsection (a) of this section.

485 (2) Nothing in this section shall be construed to invalidate or limit
486 an exclusion contained in an automobile liability insurance policy,
487 including any such policy in use or approved for use in this state prior
488 to January 1, 2018, that excludes coverage for vehicles used to
489 transport property or passengers for a fee or available for hire by the
490 public.

491 (3) In the event of a claim against a transportation network company
492 driver in which there is disagreement between such driver's insurance
493 company and the transportation network company's insurance
494 company as to which insurance company has the duty to defend, the
495 insurance company issuing the transportation network company's
496 automobile insurance policy shall have the duty to defend such claim.

497 (i) Prior to initially permitting a transportation network company
498 driver to accept a rider request for a prearranged ride through the
499 transportation network company's digital network, a transportation
500 network company shall disclose, in writing, to such driver the
501 following:

502 (1) The insurance coverage, including the types of coverage and the
503 limits for each type of coverage, that the transportation network
504 company provides during the period such driver is using a

505 transportation network company vehicle while connected to the
506 transportation network company's digital network and available to
507 receive requests for prearranged rides or engaged in the provision of a
508 prearranged ride;

509 (2) A statement that such driver's automobile insurance policy
510 might not provide coverage while such driver is connected to the
511 transportation network company's digital network and available to
512 receive requests for prearranged rides or engaged in the provision of a
513 prearranged ride; and

514 (3) A statement that if such driver's transportation network
515 company vehicle has a lien on it, the use of such vehicle for such
516 purposes without physical damage coverage may violate the terms of
517 the contract with the lienholder.

518 Sec. 6. Section 13b-95 of the general statutes is repealed and the
519 following is substituted in lieu thereof (*Effective October 1, 2017*):

520 The term "taxicab" includes any motor vehicle operated upon any
521 street or highway or on call or demand accepting or soliciting
522 passengers indiscriminately for transportation for hire between such
523 points along streets or highways as may be directed by the passenger
524 or passengers being transported, provided nothing in this chapter shall
525 be construed to include, as a taxicab, a motor bus, as defined in section
526 14-1, [or] a motor vehicle in livery service when such motor vehicle is
527 hired for a specific trip or trips and is subject to the direction of the
528 person hiring the same, or a transportation network company vehicle,
529 as defined in section 1 of this act.

530 Sec. 7. Section 13b-101 of the general statutes is repealed and the
531 following is substituted in lieu thereof (*Effective October 1, 2017*):

532 The term "motor vehicle in livery service" includes every motor
533 vehicle used by any person, association, limited liability company or
534 corporation which represents itself to be in the business of transporting
535 passengers for hire, except (1) any motor bus and any taxicab operated

536 under a certificate of public convenience and necessity issued by the
537 Department of Transportation, (2) any school bus, as defined in section
538 14-275, or student transportation vehicle, as defined in section 14-212,
539 when used for the transportation of children under the age of twenty-
540 one years, (3) any school bus, as defined in section 14-275, when used
541 for the transportation of passengers (A) by virtue of a contract with
542 any public or private institution of higher education, (B) pursuant to a
543 contract for service to a special event held at a location or facility
544 which is not open for business on a daily basis throughout the year,
545 not to exceed a period of ten days, or (C) pursuant to a contract with a
546 municipality for which the carrier provides school transportation
547 service, (4) any motor vehicle operated by or through a community-
548 based regional transportation system for the elderly established
549 pursuant to section 55 of public act 05-280, [and] (5) any motor vehicle
550 operated by or through a community-based regional transportation
551 system for the visually impaired, and (6) any transportation network
552 company vehicle, as defined in section 1 of this act.

553 Sec. 8. Section 13b-97b of the general statutes is repealed and the
554 following is substituted in lieu thereof (*Effective October 1, 2017*):

555 (a) Any person who (1) operates a taxicab, or advertises taxicab
556 services, without obtaining a certificate from the Department of
557 Transportation pursuant to section 13b-97 or obtaining authority to
558 operate a taxicab from a holder of such a certificate, or (2) allows an
559 unauthorized person to operate a taxicab, which is under such person's
560 control, shall be guilty of a class A misdemeanor.

561 (b) The state shall remit to a municipality fifty per cent of the fine
562 amount received for a violation of this section with respect to each
563 summons issued by such municipality. Each clerk of the Superior
564 Court or the Chief Court Administrator, or any other official of the
565 Superior Court designated by the Chief Court Administrator, shall, on
566 or before the thirtieth day of January, April, July and October in each
567 year, certify to the Comptroller the amount due for the previous
568 quarter under this subsection to each municipality served by the office

569 of the clerk or official.

570 Sec. 9. Subsection (e) of section 13b-103 of the general statutes is
571 repealed and the following is substituted in lieu thereof (*Effective*
572 *October 1, 2017*):

573 (e) (1) Any person who holds [him] himself or herself out to be the
574 operator of a motor vehicle in livery service who has not received a
575 permit under this section [or with the intent to injure or defraud
576 another] shall be guilty of a class B misdemeanor.

577 (2) The state shall remit to a municipality fifty per cent of the fine
578 amount received for a violation of subdivision (1) of this subsection
579 with respect to each summons issued by such municipality. Each clerk
580 of the Superior Court or the Chief Court Administrator, or any other
581 official of the Superior Court designated by the Chief Court
582 Administrator, shall, on or before the thirtieth day of January, April,
583 July and October in each year, certify to the Comptroller the amount
584 due for the previous quarter under this subsection to each
585 municipality served by the office of the clerk or official.

586 Sec. 10. Section 13b-389 of the general statutes is repealed and the
587 following is substituted in lieu thereof (*Effective October 1, 2017*):

588 (a) No person shall operate any motor vehicle in the transportation
589 of household goods for hire as a household goods carrier without first
590 having obtained from the Commissioner of Transportation, after
591 hearing, a certificate of public convenience and necessity to so operate.

592 (b) (1) Any person, other than a household goods carrier who has
593 obtained such certificate, who holds himself or herself out as a
594 household goods carrier with intent to obtain a benefit or to injure or
595 defraud another, shall be guilty of a class B misdemeanor.

596 (2) The state shall remit to a municipality fifty per cent of the fine
597 amount received for a violation of subdivision (1) of this subsection
598 with respect to each summons issued by such municipality. Each clerk

599 of the Superior Court or the Chief Court Administrator, or any other
600 official of the Superior Court designated by the Chief Court
601 Administrator, shall, on or before the thirtieth day of January, April,
602 July and October in each year, certify to the Comptroller the amount
603 due for the previous quarter under this subsection to each
604 municipality served by the office of the clerk or official.

605 Sec. 11. Subsection (a) of section 13b-96 of the general statutes is
606 repealed and the following is substituted in lieu thereof (*Effective*
607 *January 1, 2018*):

608 (a) (1) Each person, association, limited liability company or
609 corporation owning or operating a taxicab is declared a common
610 carrier and subject to the jurisdiction of the Department of
611 Transportation. The Commissioner of Transportation is authorized to
612 prescribe adequate service, [and] reasonable rates and charges, and
613 standards for the equipment, including, but not limited to, a taxi meter
614 or cellular mobile telephone or other electronic device with online-
615 enabled application or access to an Internet web site used to calculate
616 such rates and charges. The commissioner [may] shall adopt
617 regulations, in accordance with chapter 54, for the purpose of
618 establishing fares, tiered rates, discounted rates, promotions, service,
619 operation and equipment as it deems necessary for the convenience,
620 protection and safety of passengers and the public. Such regulations
621 shall require any person, association, limited liability company or
622 corporation owning or operating a taxicab and using tiered rates to
623 post such tiered rates in the taxicab in a location visible to a passenger
624 and on the online-enabled application and Internet web site of such
625 person, association, company or corporation. For the purposes of this
626 subsection, "tiered rates" means separate premium and nonpremium
627 rates based on time periods, events or dates or any combination
628 thereof.

629 (2) Not later than October 1, 2018, the Commissioner of
630 Transportation shall submit regulations concerning the appearance,
631 identification and markings of taxicabs to the standing legislative

632 regulation review committee.

633 Sec. 12. Subsection (e) of section 14-44 of the general statutes is
634 repealed and the following is substituted in lieu thereof (*Effective*
635 *January 1, 2018*):

636 (e) (1) Prior to issuing an operator's license bearing a [school
637 endorsement or bearing the appropriate type of public passenger
638 endorsement for operation of a student transportation vehicle] public
639 passenger endorsement pursuant to subdivision (3) of subsection (a) of
640 this section, the Commissioner of Motor Vehicles shall require each
641 applicant to submit to state and national criminal history records
642 checks, conducted in accordance with section 29-17a, [and a check of
643 the state child abuse and neglect registry established pursuant to
644 section 17a-101k.] The Commissioner of Emergency Services and
645 Public Protection shall complete such state and national criminal
646 history records checks required pursuant to this section within sixty
647 days of receiving such a request for a check of such records. If notice of
648 a state or national criminal history record is received, the
649 Commissioner of Motor Vehicles may, subject to the provisions of
650 section 46a-80, refuse to issue an operator's license bearing such public
651 passenger endorsement and, in such case, shall immediately notify the
652 applicant, in writing, of such refusal. Each applicant for a public
653 passenger endorsement to operate a school bus or student
654 transportation vehicle shall submit to a check of the state child abuse
655 and neglect registry established pursuant to section 17a-101k. If
656 notification that the applicant is listed as a perpetrator of abuse on the
657 state child abuse and neglect registry [established pursuant to section
658 17a-101k] is received, the Commissioner of Motor Vehicles may refuse
659 to issue an operator's license bearing such public passenger
660 endorsement and, in such case, shall immediately notify the applicant,
661 in writing, of such refusal. The Commissioner of Motor Vehicles shall
662 not issue a temporary operator's license bearing a [school endorsement
663 or bearing the appropriate type of] public passenger endorsement for
664 operation of a school bus or student transportation vehicle.

665 (2) For the purposes of this subdivision, "certificate or permit
666 holder" means any person, association, limited liability company or
667 corporation that holds a certificate of public convenience and necessity
668 to operate a taxicab, as described in section 13b-97 or holds a permit to
669 operate a motor vehicle in livery service, as described in section 13b-
670 103, as amended by this act. Any certificate or permit holder who seeks
671 to employ a person who has applied for a public passenger
672 endorsement to operate a taxicab or motor vehicle in livery service
673 under subdivision (1) of this subsection may permit such person to
674 operate a taxicab or motor vehicle in livery service prior to the
675 approval by the Commissioner of Motor Vehicles of the application for
676 such endorsement, but in no event for a period longer than ninety days
677 after the date of application for such endorsement, provided such
678 certificate or permit holder determines such person meets the
679 requirements to operate a taxicab or motor vehicle in livery service set
680 forth in regulations adopted by the commissioner pursuant to
681 subsection (f) of this section. In making such determination, such
682 certificate or permit holder shall (A) conduct, or have a consumer
683 reporting agency regulated under the federal Fair Credit Reporting Act
684 conduct, a local, state and national criminal history records check,
685 including a search of state and national sexual offender registry
686 databases, and (B) review such person's driving history record
687 maintained by the commissioner and dated not more than seven days
688 prior to the date of such review. A person who is approved by a
689 certificate or permit holder under this subdivision shall carry and
690 present, upon request, a copy of such person's application to the
691 commissioner and criminal history records check when such person is
692 operating a taxicab or motor vehicle in livery service.

693 Sec. 13. (*Effective July 1, 2018*) (a) The Commissioner of
694 Transportation shall study how to implement and fund a level of
695 service from taxicabs and transportation network companies to
696 individuals with disabilities that is substantially equivalent to the level
697 of service provided to other members of the general public. Such study
698 shall examine the viability of funding such level of service through a

699 per-trip surcharge on all rides provided by taxicabs, motor vehicles in
700 livery service and transportation network company drivers. Such
701 study shall examine and develop recommendations for how to: (1)
702 Assure equivalent service to individuals with disabilities from taxicabs
703 and transportation network companies with regard to the following
704 service parameters: (A) Response time, (B) fares, (C) geographic area of
705 service, and (D) hours and days of service; (2) provide for the
706 establishment of an accessibility program fund for the receipt of any
707 such per-trip surcharges and the disbursement of program funds to
708 transportation network companies and taxicab certificate holders for
709 the following purposes: (A) Reimbursement for costs associated with
710 converting or purchasing motor vehicles to be used as taxicabs or for
711 transportation network company prearranged rides that are fully
712 accessible by a wheelchair ramp or lift, and (B) compensation
713 incentives for taxicab and transportation network company drivers
714 who allot the requisite time to assist individuals with disabilities in
715 boarding such drivers' motor vehicles; and (3) initiate the use of
716 transportation network company prearranged rides for assembling
717 and managing a comprehensive transportation system for individuals
718 with disabilities within the Medicaid population that provides such
719 individuals with a transportation option for being transported to and
720 from medical care facilities.

721 (b) In conducting the study described in subsection (a) of this
722 section, the Commissioner of Transportation may consult with any
723 individual who has expertise in any aspect of such study's
724 requirements, as described in subsection (a) of this section, including,
725 but not limited to, members of the faculty of The University of
726 Connecticut and representatives of the Disability Rights Education and
727 Defense Fund, American Association of People with Disabilities,
728 National Council of Independent Living, taxicab drivers and owners,
729 motor vehicle in livery service drivers and owners, transportation
730 network company drivers and transportation network companies.

731 (c) Not later than January 1, 2019, the Commissioner of
732 Transportation shall submit such recommendations, in accordance

733 with the provisions of section 11-4a of the general statutes, to the joint
 734 standing committee of the General Assembly having cognizance of
 735 matters relating to transportation, in addition to any recommendations
 736 for legislation to implement such recommendations."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	New section
Sec. 2	<i>January 1, 2018</i>	New section
Sec. 3	<i>October 1, 2017</i>	New section
Sec. 4	<i>January 1, 2018</i>	New section
Sec. 5	<i>January 1, 2018</i>	New section
Sec. 6	<i>October 1, 2017</i>	13b-95
Sec. 7	<i>October 1, 2017</i>	13b-101
Sec. 8	<i>October 1, 2017</i>	13b-97b
Sec. 9	<i>October 1, 2017</i>	13b-103(e)
Sec. 10	<i>October 1, 2017</i>	13b-389
Sec. 11	<i>January 1, 2018</i>	13b-96(a)
Sec. 12	<i>January 1, 2018</i>	14-44(e)
Sec. 13	<i>July 1, 2018</i>	New section