AN ACT CONCERNING RIDESHARE AND DELIVERY DRIVER MINIMUM STANDARDS.

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

Section 1. (NEW) (Effective July 1, 2023) As used in this section and sections 2 to 5, inclusive, of this act:

(1) "Transportation network company" has the same meaning as provided in section 13b-116 of the general statutes;

(2) "Transportation network company driver" has the same meaning as provided in section 13b-116 of the general statutes;

(3) "Prearranged ride" has the same meaning as provided in section 13b-116 of the general statutes;

(4) "Passenger" means an individual or individuals who use a digital network to connect with a transportation network company driver to receive a prearranged ride between points chosen by the individual or individuals;

(5) "Third-party delivery company" means a company, corporation,
partnership, trust, association, sole proprietorship or similar organization that operates in this state and uses a digital network to offer or arrange the sale and delivery of groceries, food, beverages, commercial goods or other items prepared by another entity and the delivery or pickup of food and beverages from not fewer than ten separately owned and operated food service establishments;

(6) "Third-party delivery company driver" means an individual who is not an employee of a third-party delivery company but uses the digital network of a third-party delivery company to provide prearranged deliveries of groceries, food, beverages, commercial goods or other items;

(7) "Digital network" has the same meaning as provided in section 13b-116 of the general statutes;

(8) "Network company" means a transportation network company or a third-party delivery company. "Network company" does not include a business entity that maintains a digital network where either (A) less than seven and one-half per cent of the services provided on such digital network are rideshare services; or (B) less than ten thousand service requests fulfilled on such digital network are for rideshare services.

(9) "Network worker" means an individual who (A) is a transportation network company worker or a third-party delivery company worker, and (B) provides services for such transportation network company or third-party delivery company through a digital network;

(10) "Trip" means a transportation service where a network worker either (A) picks up a passenger at a location set up by such passenger and delivers such passenger to a different location requested by such passenger, or (B) picks up items selected by a user of a digital network from a business or private residence and delivers such items to another location requested by such user;

(11) "Passenger transport time" means the period of time during
which a driver is actively transporting a passenger in the transportation network company vehicle;

   (12) "Delivery transit time" means the period of time between the (A) network worker's acceptance of a delivery trip on the digital network, and (B) delivery of items to the users requested location;

   (13) (A) "Dispatch time" means the period of time a driver spends traveling from a dispatch location to a pick-up location, but does not include any time when a passenger cancels a trip or the transportation network driver begins a trip or service through the digital platform, and for shared rides; and (B) "dispatch platform time" means the period a driver spends traveling from the first dispatch location to the first passenger or item pick-up location;

   (14) "Active solicitation time" means the period of time a network worker spends logged in to the digital platform, should a network company engage in the practice of logging workers out of the digital platform, immediately upon the completion of a trip. "Active solicitation time" includes the period of time a network worker spends returning to a location where such worker may solicit another trip or delivery;

   (15) "Multi-apping" means the act by a network worker where such worker logs in to multiple digital networks in order to solicit trips or deliveries from multiple network companies;

   (16) "Return time" means the period of time when a network worker is returning to the state after a passenger or delivery drop-off in a neighboring state without a passenger or delivery; and

   (17) "User" means an individual or individuals who use a digital network to connect with a third-party delivery company driver to receive a prearranged delivery of groceries, food, beverages, commercial goods or other items between points chosen by the individual or individuals.

Sec. 2. (NEW) (Effective July 1, 2023) (a) On and after July 1, 2023, a
network worker shall receive a minimum per-trip compensation equivalent to the greater of (1) eighty-five per cent of each fare charged to the passenger, provided, any taxes, fees or surcharges imposed on trips and any tips paid to a network worker by a passenger or user shall not be included in the calculation of such per cent; or (2) the minimum pay provided in subsection (b) of this section.

(b) Network companies shall compensate network workers in accordance with the following minimum pay: (1) For transportation network company drivers, a minimum of one dollar and thirty cents per mile traveled by such driver during dispatch time and passenger transport time, and a minimum of sixty cents per minute worked by such driver during dispatch time and passenger transport time, and (2) for a third-party delivery service driver, a minimum of one dollar and thirty cents per mile traveled by such driver during dispatch time and until project completion time, and a minimum of sixty cents per minute worked by such driver during dispatch time and until project completion time. Minimum pay established in this section shall also be provided to network drivers for miles traveled and minutes worked during return time. For purposes of this subsection, return time shall end upon the arrival of the network worker in the state, or once a reasonable amount of time for the network worker to return to the state has elapsed.

(c) Not later than September 30, 2023, and annually thereafter, the Labor Commissioner shall examine the adequacy and need for adjustment to the network worker minimum pay established in subsection (b) of this section. In conducting such examination the commissioner shall take into account the (1) rate of inflation, (2) current consumer price index for urban wage earners and clerical workers, (3) current price per gallon for gas, and (4) current price for the charging of electric motor vehicles. The commissioner shall submit a report of the results of such examination and any recommendations for legislation, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to labor and public employees.
Sec. 3. (NEW) (Effective July 1, 2023) (a) When a passenger or user cancels a trip, a network company shall compensate a network worker for any milage, fees, tolls and time incurred by such network worker from the acceptance of a trip until cancellation of such trip.

(b) A network company shall compensate a network worker for (1) any fees incurred by a network worker for general wear and tear, any damage from passengers and cleaning fees for such network worker's motor vehicle, and (2) fees and tolls incurred by such network worker while traveling between states.

(c) (1) A network worker shall receive mileage reimbursement at a rate to be established by the Labor Commissioner.

(2) On and after July 1, 2023, and until the Labor Commissioner establishes reimbursement rates pursuant to subdivision (1) of this subsection, the mileage reimbursement standard for such network drivers shall be (A) for a network driver's active solicitation time, the standard mileage rate established by the Internal Revenue Service, and (B) for all miles driven by a network driver during passenger transport time or delivery transport time, one hundred fifty per cent of such standard mileage rate.

Sec. 4. (NEW) (Effective July 1, 2023) (a) Upon conclusion of a trip for each passenger or user, each network company shall transmit an initial receipt and a finalized receipt to the network worker for such trip or portion of such trip. The initial receipt containing an estimate of the information required pursuant to subdivisions (1) to (9), inclusive, of this subsection shall be provided to a network worker within five minutes after completion of a trip. A receipt containing the finalized payment calculations of such information shall be provided to a network worker within twenty-four hours of the trip's completion. Such electronic receipts shall include, but need not be limited to, the following information, (1) the total amount of passenger platform time, (2) the total mileage driven during platform time, (3) the total mileage driven during passenger or delivery pick-up time, (4) the fare charged to the
passenger or user, (5) the rate of pay, including, but not limited to, the rate per minute, rate per mile, percentage of passenger fare and any applicable price multiplier or variable pricing policy in effect for the trip, (6) tip compensation, (7) gross payment, (8) net payment after deductions, fees, tolls, surcharges, lease fees or other charges, and (9) itemized deductions or fees, including any tolls, surcharges, commissions, lease fees and other charges.

(b) Each network company shall maintain a digital copy of each initial receipt and finalized receipt and make such receipts available for download to the network worker to whom such receipts were transmitted, for a period of three years thereafter.

(c) A network company shall provide each network worker with a weekly summary of the trips such network worker made during the previous week. Such notice shall contain the following information, (1) the network worker's total passenger platform time, (2) the total mileage driven by the network worker during passenger or user platform time, (3) the total amount of passenger or delivery fares, (4) the network worker's total tip compensation, (5) the network worker's gross compensation itemized by (A) rate per minute, including the average rate across all trips, (B) rate per mile, including the average rate across all trips, and (C) any other method used to calculate pay, including, but not limited to, base pay, percentage of passenger fare, or any applicable price multiplier or variable pricing policy in effect for the trip, (6) the network worker's net payment after deductions, fees, tolls, surcharges, lease fees or other charges, and (7) the itemized deductions or fees from the driver's payment, including all tolls, surcharges, commissions, lease fees and other charges.

Sec. 5. (NEW) (Effective July 1, 2023) Each network company shall, not later than five minutes after a trip's completion for an initial electronic receipt and within twenty-four hours of a trip's completion for a finalized electronic receipt, transmit to the passenger or user receipts that list the following on behalf of the driver: (1) The date and time of the trip, (2) the passenger or delivery pick-up and passenger or delivery
drop-off locations for the trip, (3) the total duration and distance of the trip, (4) the driver's first name, (5) the total fare paid, itemizing all charges and fees, and (6) the compensation paid to the driver, including all relevant factors contributing to compensation.

Sec. 6. (NEW) (Effective July 1, 2023) (a) Any network worker aggrieved by a violation of sections 2 and 3 of this act may bring a civil action in the Superior Court to recover damages, civil penalties and such equitable and injunctive relief as the court deems appropriate. Any individual who prevails in such civil action may be awarded attorney's fees and costs to be taxed by the court.

(b) A network company that knowingly violates any provision of sections 2 and 3 of this act shall be liable to the affected network worker in the amount of one hundred dollars per violation.

Sec. 7. (NEW) (Effective July 1, 2023) The Labor Commissioner may adopt regulations in accordance with chapter 54 of the general statutes to implement the provisions of sections 1 to 6, inclusive, and sections 8 and 9 of this act.

Sec. 8. (NEW) (Effective July 1, 2023) (a) Not later than January 1, 2024, and annually thereafter, each network company shall register with the Labor Department, in a form and manner prescribed by the Labor Commissioner. Such registration shall include, (1) the network company's name, business address and telephone number, (2) if the network company is registered in another state, the name, address and telephone number of the company's agent for service of process in this state, (3) the name, address and telephone number of a person at the network company who will serve as the main contact for the Labor Commissioner, (4) information sufficient to demonstrate that the network company is in compliance with the provisions of this section and sections 2 and 3 of this act, and any regulations adopted pursuant to section 7 of this act, and (5) trip and revenue data described in subsection (b) of this section.

(b) Each network company shall submit trip and revenue data with
the annual registration that includes:

(1) For each trip dispatch by the network company, (A) the motor vehicle license plate number used by a network worker to complete such trip, (B) the date, time and location in which either the passenger or the delivery was picked up by a network worker, and the date, time and location in which such passenger or delivery was subsequently dropped off by such network worker, (C) the total number of passengers or deliveries picked up by a network worker from the location described in subparagraph (B) of this subdivision, (D) the total mileage driven by the network worker during such trip, (E) the date and time such trip was requested by a passenger or user, (F) the total number of stops and deliveries made during such trip, and (G) an itemized fare for such trip including, (i) the amount of the fare, (ii) any toll, surcharge, commission rate or other deduction, (iii) any tip, and (iv) a breakdown of the amount the passenger or user paid for the trip;

(2) The total payment, or hourly paid rate, each network worker received for each trip that such network worker completed;

(3) The total amount of time each network worker's motor vehicle is connected to the digital network each day; and

(4) The amount of time spent by each network worker transporting passengers or deliveries, as well as the time spent each day by such network worker traveling to such passengers or deliveries and time spent by each network worker between trips but not traveling to pick up a passenger or delivery.

(c) Each network company shall submit a nonrefundable registration fee with its registration in an amount, to be determined by the Labor Commissioner, that is sufficient to cover all cost incurred by the Labor Department in carrying out the requirements of this section.

(d) If a network company needs to amend any information contained in its registration that is incorrect or needs to be changed, such network company shall amend its registration by submitting an amendment to
the department, in a form and manner prescribed by the Labor Commissioner, not later than thirty days after such network company discovers or reasonably should have known of such change.

(e) Any personally and identifiable information or data included in a network company's registration pursuant to subsection (a) of this section shall not be subject to disclosure under section 1-210 of the general statutes, except the Labor Commissioner shall make redacted versions of such data available on the Labor Department's Internet web site for analysis by the public.

Sec. 9. (NEW) (Effective July 1, 2023) (a) Not later than January 1, 2024, the Commissioner of Transportation shall communicate with the chief transportation official of New York, Massachusetts, Rhode Island and New Jersey to establish a reciprocity agreement for the purposes of allowing Connecticut network workers to pick up passengers in such other states and to allow network drivers of such other states to pick up passengers in Connecticut.

(b) No network worker for a network company registered in another state may pick up a passenger in this state unless the commissioner has established a reciprocity agreement with the state in which such network company is registered.

(c) No network company that prohibits Connecticut network drivers from picking up passengers or accepting delivery requests out-of-state after completing a request outside of the state, except where prohibited by another state or municipal law, shall be issued a license to operate in the state.

(d) Each network company shall compensate network workers that cross state lines in order to pick up a passenger or complete a delivery for any toll fares incurred while traveling to and returning from such trip.
This act shall take effect as follows and shall amend the following sections:

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**Statement of Purpose:**
To establish reciprocity with neighboring states in order to allow Connecticut drivers to pick up passengers in such states and to require network companies to, (1) provide network workers with minimum pay per trip, (2) provide trip receipts to both workers and passengers, and (3) pay for other fees incurred during trips.

[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.]