



General Assembly

January Session, 2023

Raised Bill No. 1180

LCO No. 5293



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

**AN ACT CONCERNING RIDESHARE AND DELIVERY DRIVER
MINIMUM STANDARDS.**

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

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

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

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

7 (3) "Prearranged ride" has the same meaning as provided in section
8 13b-116 of the general statutes;

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

13 (5) "Third-party delivery company" means a company, corporation,

14 partnership, trust, association, sole proprietorship or similar
15 organization that operates in this state and uses a digital network to
16 offer or arrange the sale and delivery of groceries, food, beverages,
17 commercial goods or other items prepared by another entity and the
18 delivery or pickup of food and beverages from not fewer than ten
19 separately owned and operated food service establishments;

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

25 (7) "Digital network" has the same meaning as provided in section
26 13b-116 of the general statutes;

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

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

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

44 (11) "Passenger transport time" means the period of time during

45 which a driver is actively transporting a passenger in the transportation
46 network company vehicle;

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

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

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

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

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

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

74 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) On and after July 1, 2023, a

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

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

97 (c) Not later than September 30, 2023, and annually thereafter, the
98 Labor Commissioner shall examine the adequacy and need for
99 adjustment to the network worker minimum pay established in
100 subsection (b) of this section. In conducting such examination the
101 commissioner shall take into account the (1) rate of inflation, (2) current
102 consumer price index for urban wage earners and clerical workers, (3)
103 current price per gallon for gas, and (4) current price for the charging of
104 electric motor vehicles. The commissioner shall submit a report of the
105 results of such examination and any recommendations for legislation, in
106 accordance with the provisions of section 11-4a of the general statutes,
107 to the joint standing committee of the General Assembly having
108 cognizance of matters relating to labor and public employees.

109 Sec. 3. (NEW) (*Effective July 1, 2023*) (a) When a passenger or user
110 cancels a trip, a network company shall compensate a network worker
111 for any milage, fees, tolls and time incurred by such network worker
112 from the acceptance of a trip until cancellation of such trip.

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

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

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

128 Sec. 4. (NEW) (*Effective July 1, 2023*) (a) Upon conclusion of a trip for
129 each passenger or user, each network company shall transmit an initial
130 receipt and a finalized receipt to the network worker for such trip or
131 portion of such trip. The initial receipt containing an estimate of the
132 information required pursuant to subdivisions (1) to (9), inclusive, of
133 this subsection shall be provided to a network worker within five
134 minutes after completion of a trip. A receipt containing the finalized
135 payment calculations of such information shall be provided to a
136 network worker within twenty-four hours of the trip's completion. Such
137 electronic receipts shall include, but need not be limited to, the following
138 information, (1) the total amount of passenger platform time, (2) the
139 total mileage driven during platform time, (3) the total mileage driven
140 during passenger or delivery pick-up time, (4) the fare charged to the

141 passenger or user, (5) the rate of pay, including, but not limited to, the
142 rate per minute, rate per mile, percentage of passenger fare and any
143 applicable price multiplier or variable pricing policy in effect for the trip,
144 (6) tip compensation, (7) gross payment, (8) net payment after
145 deductions, fees, tolls, surcharges, lease fees or other charges, and (9)
146 itemized deductions or fees, including any tolls, surcharges,
147 commissions, lease fees and other charges.

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

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

168 Sec. 5. (NEW) (*Effective July 1, 2023*) Each network company shall, not
169 later than five minutes after a trip's completion for an initial electronic
170 receipt and within twenty-four hours of a trip's completion for a
171 finalized electronic receipt, transmit to the passenger or user receipts
172 that list the following on behalf of the driver: (1) The date and time of
173 the trip, (2) the passenger or delivery pick-up and passenger or delivery

174 drop-off locations for the trip, (3) the total duration and distance of the
175 trip, (4) the driver's first name, (5) the total fare paid, itemizing all
176 charges and fees, and (6) the compensation paid to the driver, including
177 all relevant factors contributing to compensation.

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

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

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

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

205 (b) Each network company shall submit trip and revenue data with

206 the annual registration that includes:

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

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

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

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

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

234 (d) If a network company needs to amend any information contained
235 in its registration that is incorrect or needs to be changed, such network
236 company shall amend its registration by submitting an amendment to

237 the department, in a form and manner prescribed by the Labor
238 Commissioner, not later than thirty days after such network company
239 discovers or reasonably should have known of such change.

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

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

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

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

262 (d) Each network company shall compensate network workers that
263 cross state lines in order to pick up a passenger or complete a delivery
264 for any toll fares incurred while traveling to and returning from such
265 trip.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	New section
Sec. 4	<i>July 1, 2023</i>	New section
Sec. 5	<i>July 1, 2023</i>	New section
Sec. 6	<i>July 1, 2023</i>	New section
Sec. 7	<i>July 1, 2023</i>	New section
Sec. 8	<i>July 1, 2023</i>	New section
Sec. 9	<i>July 1, 2023</i>	New section

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.]